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THE  
HISTORY  
OF  
LORD NORTH'S  
ADMINISTRATION,  
TO THE  
DISSOLUTION of the THIRTEENTH PARLIAMENT  
OF  
GREAT-BRITAIN.

— *Merito civilibus undis.*

HOR.

L O N D O N,

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M.DCC.LXXXI.



HP R F A C E

## P R E F A C E.

**I**N treating of Lord North's administration, the subject naturally divides itself into two periods. In one, his Lordship appears at the head of affairs during a time of peace; in the other, he maintains the same station in a war. The History of the first period, which terminates by the dissolution of the parliament in September 1774, is now laid before the Public; the other is preparing for the press, and will follow as speedily as possible.

The plan of finance pursued by this minister is distinctly stated, and, in some instances, freely examined. The statements which are herein given, (as the business of supplies and ways and means came to be laid before parliament in each successive year) it is hoped will gratify the curious Reader, who thinks a knowledge of the expenditure of the public money, worth the degree of attention which must be bestowed in order to acquire it.

As

As the proceedings in Parliament constitute an important part of this History, great attention has been paid to the authenticity of the representation made of them, and to collect the reasoning on both sides fully and impartially. The annals of Great-Britain furnish few instances, of so many great and momentous national questions having been discussed in so small a compass of time. A regular climax may be observed, in the importance of the subjects which engaged the attention of the legislature, until those acts were passed, which changed the government and condition of one of the North American Colonies, and were speedily followed by open hostilities. At which point of time it was thought proper to make a short pause in this history.

THE

# HISTORY

OF

## Lord NORTH's Administration.

### PART I.

*From Lord North's appointment to the head of the Treasury, to the dissolution of Parliament in 1774.*

#### CHAP. I.

*Discontents occasioned by the decision of the house of Commons upon the Middlesex election—Partial repeal of the American port duties—Mr. Grenville's bill for regulating proceedings respecting controverted elections—His death and character—Address and remonstrance from the city of London to his Majesty—The Earl of Chatham's motion in the house of Lords. Address of both houses on the city remonstrance—Commutations in Ireland—State of finance for the year 1770—Death of Mr. Beckford, and state of parties in the city—Falkland's Islands seized on by the Spaniards—Preparations for war—Negotiations—Resignations—The dispute with Spain adjusted—Probable motives which led to that event—Situation of France—Meeting of Parliament—Misunderstanding between the two houses—Lord North's plan of finance*



*for 1771—Proceedings of the house of Commons against certain printers.—Conduct of the magistrates of London—The record of their proceedings erased by order of the house—The Lord Mayor and Alderman Oliver committed to the Tower—Resolutions respecting Mr. Wilkes—Bill to enable the East India Company to raise a military force.*

**H**ISTORY cannot furnish such another instance of a great nation, the wonder and admiration of the whole earth, under an established form of government, and in a time of profound peace, so rapidly losing the respect and estimation in which it was held, as this country exhibited, during the few short years that intervened between the conclusion of the peace of Paris, and the time when the minister, whose administration we are now to treat of, took the lead. Instability and weakness marked each successive appointment. In some, these defects were inherent in the men; in others, they arose from the partial support, which they derived from the source of power; whilst among the people discontents, clamours, and outrages prevailed; so as that neither the respect which is naturally annexed to lawful authority, nor even the intervention of a military force, could suppress or check them. The administration which immediately preceded that of which lord North became the head, was indeed the longest, but, at the same time the weakest, of any in that period. It would scarcely be credited, if the fact was not incontrovertible, that a French frigate refused to pay that compliment to the British flag, in our own channel, which has been regularly given ever since we claimed a superiority on the ocean.

These domestic broils were first excited, and afterwards kept up, by a bold and able leader of the people, who having



ing dissipated a large fortune by unbridled excesses, found his creditors become clamorous and his expedients forsake him, whilst an habitual negligence of his affairs, served to precipitate those distresses which he seemed unmindful to avert. Reduced to extremities, he became a patriot, and, in conjunction with some men equally bold, and possessing talents equally well adapted to the attempt, gained the warm patronage of the people. The opposition to government raised by these active partisans was more violent and effectual, than that which was carried on against Sir Robert Walpole, even when a Pulteney spoke and a Bolingbroke wrote, to rouse the indignation of the people. A daring attack upon the Sovereign, in a publication supposed to have been written by Mr. Wilkes, the head of this confederacy, caused his papers to be seized, and himself to be taken into custody. This proceeding brought to light a licentious poem, equally replete with profaneness and obscenity. Every individual member of administration was shocked at such flagitious impiety; and the offences of the man, in whose custody it was found, against his God and his King, were descanted upon with all the energy of virtuous reprobation in both houses of Parliament. Even Mr. Wilkes's associates in those unhallowed orgies, which this poem was composed for the purpose of animating, declared their abhorrence of the crime. The discovery worked an immediate conversion on a noble lord, who had heretofore been distinguished by his zest for these profanations: with tears in his eyes he read to the house the maledictory verses, and execrated them with all the fervour of new-born zeal. The house of Lords censured, the house of Commons expelled, the offender; the latter voted that Mr. Wilkes, in whose custody the poem was found, should be deprived of his seat in that house, and a new writ was accordingly issued by the speaker for electing another member for the county of Middlesex, which he

represented. The freeholders, whether from distrust of the purity of the motives which led the house of Commons to inflict this punishment on their profligate member, or actuated by a spirit of indiscriminating opposition, rechose Mr. Wilkes for their representative. The house rejected him as ineligible, and declared that a member expelled their house, was virtually incapacitated from sitting there during that parliament: notwithstanding which, a second election terminated in the same manner. At length another candidate was prevailed upon to start; he had 296 votes, Mr. Wilkes 1193: the sheriffs returned the latter, the house rejected him, and voted his opponent, Capt. Luttrell, duly elected\*. It was even debated, whether the sheriffs should not feel the displeasure of the house for their conduct; but this disposition was renounced, when Sir Fletcher Norton declared, that those officers were bound in duty to act as they had done: the house, indeed, might set aside their return, but could not punish the sheriffs for making it under the peculiar circumstances of the case.

This decision excited great discontents; the people denied that the house of Commons had a right to reject a member who had been duly returned by a majority of good votes, and who had no legal incapacity: expulsion, they said, throw such an one on his constituents, for them to decide, as they thought fit, on his delinquency; and if he was still the man of their choice, the utmost power possessed by the Commons reached to make the election void, but it could not give the seat to a candidate who had the fewest suffrages. They contended, that although the house of Commons expelled, it could not incapacitate; such a proscription could be only rendered legal, by the concurrence of all the three distinct parts of the legislature. The cry was industriously

\* April 15, 1769.

spread, that the house of Commons was assuming to itself a power, which had never been exercised in such a latitude; it was dangerous to the constitution, in the present instance, and likewise a flagrant violation of the rights of the people; and, when drawn into a precedent, might in future times be made use of to still more fatal purposes. On these grounds the city of London petitioned the King, praying him to dissolve the parliament. The nation caught the alarm, and petitions to the same purport were sent up from various parts of the kingdom; the object of which was, in some measure, counteracted by the addresses to the throne, expressive of the peoples approbation of the conduct of parliament. It was whilst this ferment was at its height, that the Duke of Grafton thought fit to withdraw himself from power, and resign the administration of affairs to Lord North\*.

This minister, the eldest son of the Earl of Guilford, is descended from an ancient family, the younger branch of which rose into considerable consequence under the favour of Henry VIII. and from the ancestors so patronized, many eminent men have sprung in different ages, distinguished for their valour, wisdom, learning and abilities. When the States of Holland threw off the yoke of Spain, Roger, the second Lord North, distinguished himself among the English who supported the cause of religion and liberty in the Low Countries, and was wounded in the engagement before Zutphen, in which Sir Philip Sidney was slain. His son died in the Netherlands, and his grandson, Dudley Lord North, was nominated by both houses of parliament in 1645, in conjunction with the Earls of Northumberland, Essex and Warwick, to manage the affairs of the Admiralty. The statesmen and writers who have since sprung from this stock, are well known to every one.

\* Jan. 1770.

Lord North soon after he became of age, was elected to a seat in parliament at the general election in 1754, and towards the conclusion of the last reign, was appointed a commissioner of the treasury and treasurer of the exchequer. His relish for business and steady attention to it, joined to the early connections which had been formed with his sovereign †, procured him to be appointed in the year 1767, a joint paymaster of the forces and chancellor of the exchequer.

One of the first acts of the new minister, was the bringing in a bill \* for the repeal of so much of a late act of parliament as related to the imposing of a duty on paper, painters colours, and glass, imported into America; the tax upon tea, which was laid on by the same act, was still continued. This repeal was made in compliance with the prayer of a petition, presented by the American merchants to the house of Commons, setting forth the great losses they sustained, and the fatal effects produced by the late laws, which for the purpose of raising a revenue in the colonies, had imposed duties upon goods exported from Great-Britain thither.

It was much insisted upon by those members who had uniformly opposed the laying internal taxes upon America, that now, as the minister began to recede, the act which imposed these duties should be at once totally repealed. To this it was objected, that the colonies, instead of de-

† The Earl of Guilford was appointed tutor to the present King in 1750, and the year before, when the tragedy of Cato was performed at Leicester-house, Prince George played the part of Portius, and Lord North that of Syphax.

\* March 5, 1770.



serving additional instances of tendernefs, did not, in fact, deserve the instance then shewn, as their conduct had become more violent than ever; and their associations, instead of supplicating, proceeded to dictate, and grew at length to such a height of temerity, that administration could not, for its own credit, go as far as it might incline, to gratify their expectations: that was the tax to be wholly abolished, it would not either excite their gratitude or re-establish their tranquillity; they would set the abolition to the account, not of the lenity, but of the fears of government; and upon a supposition that we were to be terrified into any concession, they would make fresh demands, and rise in their turbulence, instead of returning to their duty. Experience had fatally proved this to be their disposition: we repealed the stamp-act, to comply with their desires, but they have neither learnt obedience or moderation thereby; on the contrary, our lenity has encouraged them to insult our authority, to dispute our rights, and aim at independent government. While therefore the Americans deny our power to tax them, is it proper for us to acquiesce in the argument of illegality, and by the repeal of the whole law to give up the power? Such a conduct would be to betray ourselves out of compliment to them, and through a wish of rendering more than justice to America, resign the controlling supremacy of England.

These arguments did not pass without animadversion from the other side of the house. The ministers, said the opposition, condemn the concessions of their predecessors, yet they begin themselves by concession, with this only difference, that their's is without grace, benignity, or policy, and that they yield after a vexatious struggle. It was observed, that a partial repeal, instead of producing any benefit to the mother-country, would be a real grievance,



a certain expence to ourselves, as well as a source of perpetual discontents to the colonies. By continuing the trifling tax upon tea, while we take off the duties upon painters colours, paper and glass, we keep up the whole establishment of custom-houses in America, with their long hydra-headed train of dependents, and yet cut off the very channels through which their voracious appetites are to be glutted. The tea duty, it was asserted, would by no means answer the expence of collecting it, and the deficiencies must of course be made up out of the revenue of this country.

It plainly appears, that the object of the minister was not that of revenue, but by the most secret and apparently unimportant steps, to obliterate from the minds of the Americans, those horrid ideas which they had formed of internal taxation; and in effecting this, an essential service was meant to be rendered to the East India Company, who felt very sensibly the diminution of their exports to America. In the year 1768, they had exported to that continent teas to the value of 132,000 l. the next year their exports declined to 44,000 l. whilst they still continued to lessen in the same rapid manner. This was an evil of such a magnitude, as to force itself upon the minister's attention. The company paid a duty of 25 per cent. on their exported teas, which greatly enhanced the price at the market, and enabled the Dutch to supply the colonies much cheaper: this duty was therefore discontinued, whereby the price of teas, in America, was so materially reduced, that it was presumed the continuing of the duty of three pence per pound weight on that commodity, would be entirely overlooked.

Before

Before this bill had passed the lower house, Mr. George Grenville brought in a bill \*, entitled, " An Act for regulating the proceedings of the house of Commons on controverted elections." The regulations made thereby, were, that instead of bringing the merits of a contested election before a general committee of the house, upon a petition being received, a day should be appointed to hear the merits, and for the petitioners, their witnesses, and counsel to attend. On the day appointed, the house should be counted, and if it was found not to have one hundred members present, the business should stand over until so many were assembled; at which time the names of the members in the house, were to be put into six boxes, or glasses, to be drawn alternately, and read by the speaker, until forty-nine are drawn; the sitting member, and petitioner, may also nominate one each. Lists of the forty-nine members thus selected, are then to be given to the parties, who, with the clerk of the house of commons, are to withdraw, and to strike off one alternately, beginning on the part of the petitioner, till the number be reduced to thirteen; who, with the two nominees, are to be sworn a select committee, to determine the matter in dispute; being invested with every requisite power for the obtaining information; and on their report the house shall either confirm or alter, the return, or issue a new writ for a fresh election. This bill was not relished by the ministry, but as the sense of the house went with it, it passed into a law †.

The

\* March 7. 1770.

† During the next session of parliament, the benefit of this act became apparent. A contested election for the borough of New Shoreham being brought before the select committee, a long established plan of corruption, which had prevailed in that borough, was revealed. In consequence of a report made to the house, a bill was framed to  
incapacitate

The regulations established by this act, effectually prevented powerful interest and personal partiality determining the fate of a controverted election, without regarding the merits of the case, or the conduct of the candidates. Such proceedings had prevailed, in perversion of equity, and to the disgrace of the house. From henceforth the decisions of parliament, in regard to contested elections, were the result of deliberate and unprejudiced examination.

This was the last public service which Mr. Geo. Grenville rendered his country: he closed an active and laborious life, on the 30th of July following, in the fifty-eighth year of his age. Perhaps no other man ever filled so many of the great departments in government. After being for some years a commissioner of the admiralty, he presided at that board for a short time, which he quitted to become secretary of state; he was afterwards first lord of the treasury and chancellor of the exchequer. The naval department is much indebted to him for many wholesome rules, and the whole body of seamen for a very salutary law which regulated the payment of their wages, and which put an end to many grievous frauds and abuses which used to attend such payments\*. The talents of this statesman were rather useful than splendid; better fitted to correct abuses in

incapacitate eighty-one freemen of Shoreham, by name, to vote at elections of members to serve in parliament, and for the preventing bribery and corruption in that borough; and an address was voted to his Majesty, that the Attorney-general should be directed to prosecute five, who were the principal agents in the regular sale of the borough.

This act was made perpetual in the year 1774, contrary to the inclination of the minister, who again opposed it strenuously.

\* 31 George II.

the internal government of the state, than to conduct the affairs of a great empire, in situations peculiarly intricate. During Mr. Pitt's brilliant administration, Mr. George Grenville opposed the measures then pursued, altho' framed by the husband of his sister; but his laboured researches were constantly nullified, by the emanations of Mr. Pitt's enlightened mind \*. The measures respecting the American colonies, which were adopted and carried into effect during Mr. Grenville's short administration, it is not our business to speak of here; let it suffice to say, that the integrity of his conduct, and his zeal to promote the welfare of his country, remain unimpeached.

Meanwhile, the city of London having taken the lead in every measure, which opposed the conduct of the house of Commons, in seating Col. Luttrell as member for Middlesex, and excluding Mr. Wilkes, could not quietly be-

\* No orator ever more fully possessed the talent of turning the edge of an antagonist's argument by a sportive sally, than this English Demosthenes. Whilst he was leading minister in the house of Commons, Mr. Grenville opposed a measure, which was carrying thro' that house, by asking, where we should find men? where we should find money? where we should find ships? &c. In the midst of these interrogations, the minister arose from his seat, and with a dignified pleasantry exclaiming,

Tell me, gentle shepherd, where;

deliberately walked out of the house. In consequence of which incident, Mr. Grenville was known by the appellation of "the gentle shepherd" for many years. Mr. Pitt treated his brother-in-law as a dull systematic politician, whose attention was directed to minute objects, being incapable of forming a noble and comprehensive plan of policy. He represented him as coming with his dog's-eared statutes to a debate. Mr. Burke, some few years after, alluding to this remark, made by the oracle of the senate, talked of having studied "till he had made dog's ears in the statute books."

hold



hold that great national question likely to be passed over without any farther discussion. Mr. Beckford, who was then a second time lord mayor, had ever been distinguished for the warm manner in which he maintained the rights of the people to choose their representatives without any control of parliament. The livery of London were convened in Common Hall, and it was there resolved to present an *humble* address, remonstrance, and petition to his majesty, in the names of the lord mayor, aldermen, and livery of the city of London, praying for a dissolution of parliament, and the removal of evil ministers \*. In this piece, the title and contents of which seemed at variance, great freedom and spirit were indulged. His majesty was therein told, “ that under the same secret and malignant influence, which thro’ each successive administration has defeated every good, and suggested every bad intention, the majority of the house of Commons have deprived his people of their dearest rights. They have done a deed more ruinous in its consequences, than the levying of ship-money by Charles the Ist, or the dispensing power assumed by James the IId, a deed which must vitiate all the future proceedings of this parliament; for the acts of the legislature itself can no more be valid without a legal house of Commons, than without a legal Prince upon the throne. Representatives of the people are essential to the making of laws, and there is a time when it is morally demonstrable that men cease to be representatives. That time is now arrived. The present house of Commons do not represent the people. We owe to your majesty an obedience, under the restriction of the laws, for the calling and duration of parliaments; and your majesty owes to us, that our representation, free from the force of arms or corruption, should be

\* March 17. 1770.



preserved to us in parliament. It was for this we successfully struggled under James the II<sup>d</sup>, for this we seated, and have faithfully supported your majesty's family on the throne. Under James the II<sup>d</sup>, the people complained that the sitting of parliament was interrupted, because it was not corruptly subservient to his designs: we complain now, that the sitting of this parliament, is not interrupted, because it is corruptly subservient to your majesty's ministers. We call God and man to witness, that as we do not owe our liberty to those nice and subtle distinctions, which places, pensions, and lucrative employments have invented, so neither will we be deprived of it by them; but, as it was gained by the stern virtue of our ancestors, by the virtue of their descendants it shall be preserved."

His majesty, in his answer, told them, "that he should always be ready to receive the requests, and to listen to the complaints of his subjects; but it gave him great concern to find, that any of them should have been so far misled, as to offer him an address and remonstrance, the contents of which he could not but consider as disrespectful to him, injurious to his parliament, and irreconcilable to the principles of the constitution."

The day on which this address was delivered, the earl of Chatham made a motion in the house of Lords for an address to the throne, praying his majesty to dissolve the parliament. He stated the public discontents in England, Ireland, and America; affirmed, that the people had no confidence in the then subsisting house of Commons; and shewed, from the situation of public affairs, the great necessity of having a parliament, in whom the people could place a proper confidence. The motion was overruled by a great majority.

The

The next day a member in the house of Commons moved to address the king, praying, that a copy of the city address, as well as his majesty's answer, might be laid before the house. A very animated debate ensued. The lord mayor, who was one of the members for the city, instead of shrinking from the contest, avowed the part he had taken in the remonstrance, maintained the propriety of it, and declared, that he should ever glory in it. Mr. Trecothick, another city member, and the two sheriffs, Mr. Townsend and Mr. Sawbridge, who were members, supported their chief magistrate against the weight of the house; they justified the language used to his majesty, and declared themselves ready to enter into the merits of that transaction. This brought on a long and animated debate, in which the right of the subject to petition the throne was discussed; and the house was much divided in sentiment, not only concerning the propriety of the city of London presenting a petition to the throne, for the purpose of censuring the conduct of the Commons of Great-Britain, but more particularly concerning the expressions made use of in their remonstrance; and many members, who approved of this mode of conveying to the royal ear the grievances of the people, reprobated the terms made use of on this occasion. Others, with great animation, endeavoured to stir up the house to inflict some signal punishment on the principal instigators to a corporate act, which, they said, had denied the authority of parliament, insulted the throne, and was performed with all the circumstances of tumultuous parade; which tended to terrify the minds of the peaceable, and inflame the passions of every misguided member of the community. The motion for an address was at length carried by a great majority, and when in consequence thereof the remonstrance was laid before the house, after the journals and other records had been examined, the house passed a resolution to  
address

addresses his majesty, and to confer with the Lords to obtain their concurrence thereto; which being readily given, the address was presented on the 23d of March. It acknowledged the right of the subject to petition the throne, but censured, very severely, the indiscreet manner in which this right had been exercised by the city of London; the direct tendency of which was, to disturb the peace of the kingdom, and subvert all lawful authority. Many people expected, that fresh instances of expulsion and incapacitation would have ensued, but more moderate measures prevailed, and, with the address, the business was dismissed.

Whilst this contest was carried on between the representative body and their constituents, causes of dissension arose in Ireland, between the house of Commons there, and the lord lieutenant: A new parliament had met, and it had ever been customary on those occasions, since the reign of Henry VII. for a money-bill to be framed in the privy-council of that kingdom, and from thence brought into parliament; the object of which was, not to raise any material supply, but to secure to government the mere form of a right derived from Poyning's law, which was never meant to be exercised for any purpose of revenue, and was repugnant to the established constitution of both kingdoms; one of the fundamental principles of which being, that all money-bills shall originate in the house of Commons. On this ground the bill was rejected; but to shew that its rejection arose from a dislike of the mode, not from a reluctance to grant the requisite aids, another money-bill was framed by the house, which made ample provision for government\*, and was passed with great unanimity. A bill for augmenting the land forces, from 12,000 to 15,000 men,

\* Upwards of two millions of money were granted for two years.

had been before passed; whereupon Lord Townshend, the lord lieutenant, delivered a speech to both houses, in which he thanked them for their liberality, but expressed strong resentment at the rejection of the privy council money-bill in the house of Commons; which he considered as incroaching upon the rights of the crown, and entered a formal protest against it in the house of lords; and to punish the kingdom for this act of temerity in their representatives, he suddenly prorogued the parliament to a long day; whereby a great variety of public and private business, essential to the interests of the community at large, as well as to individuals, was at once suspended. Such an unexpected stroke threw the whole kingdom into confusion.

The minority in the English house of Commons descanted with great spirit on this transaction; the conduct of government was censured with freedom: it was charged with having cajoled the parliament of Ireland out of a large sum of money, for the purpose of obtaining a military augmentation in a time of profound peace, which conduct demanded the strictest enquiry.

The ministry defended the conduct of the lord lieutenant, by representing the Irish house of Commons as making resolutions repugnant to Poyning's law, and of course subversive of our authority over Ireland, which warranted the castigatory measure which had been afterwards taken to inculcate a sense of their duty. The manner of the prorogation of the parliament, was said to be supported both by precedent and reason. The majority of the house admitted the validity of the justification.

Notwithstanding the speech from the throne at opening the session had recommended the affairs of America to the  
attention



attention of both houses, and that before the rising of parliament news had arrived of an affray, attended with very serious consequences, having happened at Boston, between the king's troops and the townsmen\* ; and that the opposition in both houses repeatedly pressed for such enquiries, yet ministry studiously avoided bringing the business under discussion, and the session was closed on the nineteenth of May.

The expence of the services for the year 1770, amounted to 7,455,042l. For the land forces in Great-Britain, &c. consisting of 17,666 effective men, ordnance, and every contingency of the army, 1,561,681l. The farther sum of 235,266l. was voted to make good a debt of last year on army extraordinaries. For the navy, being 16,000 seamen, including 4287 marines, 1,522,067l. For maintaining the civil government in the different provinces of North America, and incidental expences, 18,760l. One million eight hundred thousand pounds in exchequer bills, discharged. Five thousand pounds was voted to the inhabitants of Barbadoes, to enable them to cleanse their channel, repair the mole, and render their harbour more safe and commodious: 55,011l. to make good the deficiency of grants for the preceding year; 45,565l. to the landgrave of Hesse Cassel for expences incurred during the late war in Germany, as reported by the commissioners appointed to examine and state such claims and demands: a million and a half capital stock, of three and a half per cent. annuities, established 29th Geo. II. (1756) was redeemed and paid off at par; and a navy debt of 100,000l. was discharged.

\* March 5, 1770.



To make good these supplies the land tax was continued at three shillings in the pound; the malt tax was estimated at 700,000*l.* One million eight hundred thousand pounds was raised by exchequer bills, which was equivalent to the sum discharged; 400,000*l.* which the East-India company had stipulated to pay annually, in respect to the territorial acquisitions and revenues lately obtained in the East; the two quarterly receipts from the sinking fund, ending January 5, and April 5, 1770, which amounted together to 1,072,615*l.* were charged upon the aids and supplies; likewise 13,596*l.* remaining in the exchequer, April 5, over and above the surplus of the sinking fund; and 55,495*l.* in the hands of the paymaster-general of his Majesty's forces. Five hundred thousand pounds was raised by a lottery, for which the next year was to be charged in payment of the prizes to an equal amount. The produce of the sinking fund was anticipated in the sum of 1,700,000*l.* The whole amount of ways and means was 7,794,224*l.* and exceeded the estimate of supplies by 344,182*l.*

Such was the first instance of the new financier's abilities, towards alleviating the national burdens. With the assistance which government received from the East-India company, a large sum from the paymaster-general, and anticipating the produce of the sinking fund, the minister paid off a million and a half of the national debt, and reduced two millions and a half of four per cent stocks \* to three per

\* This was part of twelve millions borrowed in 1762, for which four per cent. interest was to be paid for 19 years, after which time, the stock was to be reduced to three per cent. per annum; the subscribers were farther gratified with one per cent. on the loan for a very long term. The minister therefore, gave 8*l.* for an annuity of 20*s.* per ann, for eleven years,

cent. by allowing the holders 8l. for every hundred pound stock in two lottery tickets; reckoning the tickets at 14l. each, and selling them to such stockholders at 10l. each. By this reduction 25,000l. per annum was saved to the nation in interest; but as the whole produce of the lottery was distributed into prizes which were to be paid in money, and as the half million which they amounted to was applied to the current service of the year, the national debt was increased half a million; and reckoning the interest thereupon at three and a half per cent. government continued to pay to the public 17,500l. per annum; so that in consequence of that transaction, 7,500l. was saved in the annual interest of the national debt, and a year's interest for half a million.

A few days after the rising of parliament, another humble address, remonstrance, and petition of the lord mayor, aldermen and common-council of the city of London, was presented to his majesty; which expressed the deep concern which the city of London felt, at the awful sentence of censure lately passed upon it, in his majesty's answer from the throne; and after recapitulating the grievances complained of in former addresses, it concluded with a prayer to heaven, that his majesty might reign, as kings\* only can reign, in and by the hearts of a loyal, dutiful, and free people.

His majesty in his answer told them, that he should have been wanting to the public, as well as to himself, if he had not expressed his dissatisfaction at the late address. After which the lord mayor requested leave to reply, which being granted, his lordship addressed his sovereign, and

\* It is to be presumed that kings of England are here meant.

begged leave to declare in his royal presence, on behalf of his fellow-citizens, how much the bare apprehension of his majesty's displeasure would, at all times, affect their minds; the declaration of which had filled them with inexpressible anxiety, and with the deepest affliction. He supplicated his majesty not to dismiss them from his presence without some comfort, and prospect at least of redress. No answer being returned, the lord mayor and those who accompanied him withdrew.

The birth of a princess occasioned the city of London to present a congratulatory address to his majesty on that event, a week after; when the lord chamberlain acquainted the lord mayor, that as his lordship thought fit to speak to his majesty after his answer to the late remonstrance, he was directed to inform him, as it was unusual, his majesty desired that nothing of that kind might happen for the future. This was the last public transaction in which Mr. Beckford was engaged. He died three weeks after of a fever. As he possessed a very ample fortune, was splendid and munificent in his manner of living, had a strong and agreeable elocution, and steadily opposed the measures of the court, he was greatly respected and confided in. His influence was exerted, to check and restrain the jarring interests which prevailed among the leaders of opposition in the city. A society had been formed under the title of "The Supporters of the Bill of Rights," one principal object of which was to exonerate Mr. Wilkes from his debts. Soon after Mr. Beckford's death, violent dissensions broke out; many of the members seceded, and called themselves "The Constitutional Society." These two bodies of men entertained a hearty contempt for each other, and the object of procuring redress of the violated rights of the electors of Great-Britain,

Britain, which had at first united them, seemed lost in private animosities.

Lord Chatham, who had strenuously exerted himself towards the close of the session, had predicted, that a great blow either was, or would soon be struck, in some part of the world. The event proved how well that consummate statesman was acquainted with the resolutions which were formed in foreign cabinets, for in the month of June, 1770, a squadron of Spanish ships sailed from Buenos Ayres, for the purpose of seizing upon Falkland's Islands, where the English a few years before had made a settlement, by erecting a fort which they called Egmont, and where two sloops then lay. The Spanish commander, Don Madariaga, summoned the fort to surrender to the catholic king; which being refused, he proceeded to possess himself of it by force of arms. Captain Farmer, who commanded in the fort, having remonstrated in vain against the insult which was offered the king his master, in a time of profound peace, was obliged to submit. A capitulation was signed, after which the captain and garrison were detained in port twenty-nine days, and the rudder of his ship taken away, before he was permitted to return home.

These islands are situated to the eastward of the straits of Magellan, and are the most desolate and dreary of habitable regions, although not so high in southern latitude, as the island of Anglesea lies to the north; but many reasons induced our court to form a settlement there. It was in contemplation to encourage a whale fishery in those southern regions from North America, and the possession of this spot was thought beneficial for the purpose of exploring the South Sea, which at that time was a favourite pursuit. The French had claimed these



islands, in consequence of M. de Bougainville having visited them before Commodore Byron; he gave them the name of Malounes, and his court transferred the right therein to the Spaniards; but the English claim was founded upon a discovery made of them in the reign of Queen Elizabeth.

That the court of Spain should look with a jealous eye on a settlement made by the English, in a part of the world where the Spaniards had excluded all other nations, is no ways surprising; but that she should be hardy enough to deprive us by force of that possession, in violation of the peace which then subsisted, and when she had so lately felt the force of our arms in every quarter of the world, which in less than a twelve-month had opened to themselves a way to all her resources of wealth; that she should risque the irritating of such a power, argued great temerity; an utter oblivion of the moderation and lenity which dictated the last peace on the part of Great-Britain, and a full persuasion that her late victorious adversary, from some secret cause, operating strongly on every department of the state, was sunk into a condition, which made her no longer dreaded. It was remarked, that the expedition against Port Egmont did not appear to have been a sudden ill-concerted enterprize, but to have been conducted not only with the usual military precautions, but in all the forms and ceremonies of war. A frigate was first employed to examine the strength of the place, a message was then sent by Don Francisco Buccarelli, the governor of Buenos Ayres, demanding immediate possession in the catholic king's name, and ordering our people to depart; at last a military force appeared, and compelled our garrison to surrender.

News

News of this expedition arrived at Cadiz the latter end of August, immediately upon which Mr. Harris, our *chargé des affaires* at the court of Madrid, sent advice of this transaction to Lord Weymouth, secretary of state, which arrived about the same time that the Prince de Masserano, the Spanish ambassador, had acquainted his lordship, that he had good reason to believe his catholic majesty's governor of Buenos Ayres, had taken upon him to make use of force, in order to dispossess the English of their settlement at Port Egmont in Falkland's Islands; adding, that he was directed to make this communication, to prevent the bad consequences which might arise from its coming through other hands; and expressing his wishes, that whatever the event at Port Egmont might be, in consequence of a step of the governor, taken without any particular instruction from his catholic majesty, it might not be productive of measures at this court, dangerous to the good understanding which subsisted between the two crowns. Lord Weymouth hereupon asked the ambassador, if he was ordered to disavow the conduct of M. Buccarelli the governor; which was answered in the negative, until he should hear from Madrid.

When Mr. Harris applied to M. de Grimaldi, the prime minister of Spain, for a disavowal of this hostile proceeding, his answer was very unsatisfactory: he said, the British court had reason to foresee such an event would happen, since our establishment there was notoriously disapproved by Spain. He could not, he said, blame the conduct of M. Buccarelli, as it was founded on the laws of America; but added, that his catholic majesty was very desirous of peace, having so little to gain and so much to lose by a war; therefore he would avoid it at any rate consistent with his own honour, and the welfare of his people.

A few days after he acquainted Mr. Harris, that the king, his master, was resolved to do every thing in his power to terminate this affair in an amicable manner; that therefore he admitted our demand, and that he assented to it in every point consistent with his honour, which, as well as ours, was to be considered: that however, as this matter could only be determined in London, and not at Madrid, orders had been given to Prince Masserano to lay before Lord Weymouth the several ideas which had been suggested on this head; and as they only differed in the terms, and not essentially, he trusted some one of them would be adopted.

Prince Masserano, on receipt of his despatches, proposed a convention between the two crowns, in which he should disavow, in the name of the king his master, any particular orders given to M. Buccarelli upon this occasion; at the same time that he acknowledged him to act agreeably to his general instructions, and to his oath as governor; the restitution of Falkland's Islands was to be thereby acceded to, without any injury to his catholic majesty's right to those islands; but the king of Great-Britain was at the same time called upon to disavow on his part, a menace of one of his captains, which was said to have occasioned the steps taken by the Spanish governor.

This mode of adjusting the difference by convention, was rejected, as totally inadmissible; notwithstanding which, our ministry did not despair of an accommodation at the time when the parliament met\*. Indeed, before the news of the capture of Port Egmont had been officially known, sixteen sail of the line had been put into commission; Ad-

\* Nov. 13, 1770.

miral Keppel was appointed to command the fleet, and press warrants were issued out for manning it. The people of England are ever ready to draw the sword, when either their interest or their honour appears to be attacked. On this occasion the nation felt itself insulted, and called for vengeance; but our national strength was not found adequate to great undertakings; our navy, the pride and the protection of England, during an eight year's peace, had been suffered to fall into decay; and when the surveyor of the navy, to whom, under the first lord of the admiralty, this important trust was committed, found his delinquency revealed, he eluded the resentment of his country by a sudden death. The sailors, who had been ever ready in former contests to embark in a war with Spain, were now backward to engage in the service; this was chiefly owing to the ill-treatment which both the soldiers and sailors received who went on the expedition against the Havannah, the last and most destructive service in the late war; in which, the common men received scarce any proportion of the vast wealth which was acquired; owing to a secret regulation being settled at home, before the expedition set forward, by which the commander in chief of the fleet and army, were to receive one third, instead of one eighth of the prize money\*.

In the king's speech, it was observed, that "the honour of the crown, and the rights of the people, were deeply affected by an act of the governor of Buenos Ayres." This expression was much animadverted upon, and the minister

\* This stipulation was one of the first acts of the ministry who succeeded Mr. Pitt, and stamps an indelible disgrace on all concerned. It was a flagrant act of injustice to make a secret bargain, whereby 30,000 men were deprived of their hard-earned reward.



was severely censured both in parliament and without doors, for causing his royal master to represent to his people, an open act of hostility authorised by the catholic king, as an act of a governor. Nor were the subsequent parts of the speech less criticised : this act, it was said, to avoid the mention of a regular siege and surrender, passes under the piratical description of seizing by force, and the thing taken is described not as part of the king's territory, or proper dominion, but merely as " a possession ;" a word expressly chosen in contradiction to, and exclusive of, the idea of right. But the caution used in the manner of wording the speech, may be very well defended. Our right to the wretched spot for which we contended, had ever been disputed by Spain. When Lord Anson returned from his circumnavigation of the globe, he recommended a settlement being made on Pepy's or Falkland's Islands which would actually have been carried into execution, but for the remonstrances made by the court of Spain ; in compliance with which it was totally laid aside, until Lord Egmont was placed at the head of the admiralty, in 1764, a nobleman, whom one of the ablest advocates for the conduct of administration in this business, describes as possessing a vigorous and ardent mind ; whose knowledge was extensive, and whose designs were magnificent ; but who had somewhat vitiated his judgment, by too much indulgence of romantic projects and airy speculations. But however this may be, the new settlement was made with great caution, the commanding officer at Port Egmont being instructed, to warn off any other European power who might attempt to make a settlement on Falkland's Islands ; but if he found any already established there, he was then to make a joint settlement with such, if they refused to depart after due warning ; referring the decision of right to their two sovereigns.

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There appears to be a moderation, not unmixed with firmness, in administration, during this contest; which renders the conduct pursued on this occasion, dissimilar to that which has been adopted on all our disputes with Spain, in former reigns: if it did not resemble the spirited attacks made by Queen Elizabeth, as soon as she discovered the intentions of the Spanish monarch, it was equally unlike the abject condescensions of her pusillanimous successor. It had nothing of the greedy thirst of spoil which led Cromwell to wage an unjust war with Spain, nor of that decisive boldness, which at one stroke made us masters of her navy in the reign of George I. but then it was as free from any thing like Walpole's selfish indifference to the interests of the nation. The contest was not for dominion, or for any valuable commercial object, but for a point of honour; whether we should hold a barren island, in the vicinity of the Spanish territories, of which we had taken possession on the presumption of having a prior right thereto, but which right, as already observed, had ever been disputed by Spain.

Nor is it difficult to assign reasons for this moderation in the British cabinet. It seems to have been a settled principle from the very commencement of the present reign, to keep clear of foreign war as much as possible. The long reign of George II. was considered as having thrown too much weight into the scale of the people; it was represented, by those who possessed the royal confidence, that a turbulent factious spirit was gone forth; that the insolence of the vulgar exceeded the example of former times; that all respect for lawful authority was lost, and the licentiousness of the press had levelled all distinctions, whether of birth, fortune, or talents, traducing with a bold effrontery the characters most eminent for wisdom and virtue. The body of  
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the English gentry in general, adopted these sentiments, and were ready to concur with the court to restrain the violence of the lower orders in the state: the manners of the age being formed by wealth, luxury, and refinement, made the tumults of a mob appear more dreadful than the encroachments of a minister; and the stability which government seemed now to have acquired, notwithstanding the strong opposition which had been formed against it, pointed out the present season as the most proper for introducing internal regulations. Whilst a time of peace was necessary to effect these objects at home, it was still more requisite, for pursuing the measures which were thought expedient to bring the American colonies under due subordination to the parent state. These considerations, probably, induced our ministers to continue the negotiation with the ambassador and court of Spain, during the months of September, October, and November. At length, Lord Weymouth informed Mr. Harris, that from the conduct of Prince Masserano, he saw but little reason to expect an amicable termination of this affair; and advised him, if possible, to convey an hint of this to the lieutenant-governor of Gibraltar, and the consuls at the different ports of Spain. The governor of Gibraltar was also ordered to embark immediately for that fortress.

Such was the posture of affairs when the parliament adjourned for the Christmas recess, during which, Lord Weymouth resigned his post, and was succeeded by the Earl of Rochford\*, who, a few days after his appointment, wrote  
Mr.

\* Many other changes took place at the same time; Sir Edward Hawke resigned his post, of first lord of the admiralty, and was succeeded by the Earl of Sandwich; the Earl of Suffolk was appointed keeper of the privy-seal in the room of the Earl of Halifax, who succeeded

Mr. Harris's letter of recall; but a month after, he directed him, by another letter, to return to Madrid, as there were reasons to believe, that fresh propositions of satisfaction would be made for the injury done.

On the day the parliament met, after the recess †, a declaration was signed by Prince Masserano, and an acceptance thereof by the Earl of Rochford. By the former, the ambassador, in the name of his master, disavowed the violence used at Port Egmont, and stipulated that every thing should be restored there, precisely to the same state in which they were before the reduction; but at the same time declared, that this restoration was not in any wise to affect the question of the prior right of sovereignty over those islands: and, by the acceptance, the performance of these stipulations was to be considered as a satisfaction for the injury done to the crown of Great-Britain.

When the declaration and acceptance had been laid before parliament, an address was presented, for copies of all claims and propositions, made by the court of Spain, relative to Falkland's Islands, from the first settlement of it, together with the answers. This produced nothing previous to the demand which the governor of Buenos Ayres made, 30th of November 1769, for the English to quit

ceeded Lord Sandwich as secretary of state for the northern department. The great seal, which had been held by commission ever since Lord Camden was divested of it, was at length given to Mr. Bathurst, who was created Baron Apsley, and appointed Lord Chancellor. Mr. De Grey was made chief justice of the Common Pleas; Mr. Thurlow, attorney-general; and Mr. Wedderburne, who had been strongly engaged in opposition, became solicitor-general, and also cofferer to the queen: by which last appointments ministry gained a very able advocate.

† Jan. 22, 1771.

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the island, and no one paper relative to the claims or representations made by the court of Spain, since the first settlement there, nor the answer given; and the first of Lord Weymouth's Letters, which was dated September 12, was marked No. 10. Neither did the papers laid before parliament, explain in what manner the negotiation had been resumed. The answer given to these enquiries was, that no other papers could be found. However, the subsequent conduct of government proved, that there were secret stipulations on the part of Great-Britain, which the ministry did not choose should meet the eye of parliament. For, though Falkland's Islands, Port Egmont, its forts, and other dependencies, were restored to the English, on the 16th of September 1771, in conformity to his catholic majesty's declaration, yet in 1774, orders were sent out for evacuating the place; which was done accordingly, and no settlement has since been made there. The sudden resignation of Lord Weymouth, may be supposed to have been occasioned by his dislike of this compromise\*.

The conduct of Spain, throughout this transaction, is extremely mysterious; and as our government has not thought fit to elucidate it, we are left to form conjectures merely. The consequence, naturally to be expected from such a forcible seizure of an English colony, was, an im-

\* The terms on which peace was restored have been divulged by the Count de Guines, who was then the French ambassador at the court of London; who, to exculpate himself from charges which were brought against him of having speculated in the funds, and incurred losses which he could not make good, laid open the negotiation. By his account it appears, that the islands were restored to Great-Britain, on condition of their being afterwards evacuated; and to accelerate the restoration of peace between the three kingdoms, our ministry agreed, that this kingdom should be the first to disarm; confiding in the assurances of France and Spain, that they would follow her example.

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mediate rupture with Great-Britain; and, although the Spanish government had taken every possible method of defending their distant settlements from all future attacks, yet that kingdom was so unequal to a naval contest with us, and the wealth annually drawn from the new world, would be thereby so much hazarded, that to precipitate a war, appeared to be a folly of the first magnitude. Against these motives for a pacific system in Spain, may be placed the national character, haughty, vindictive and brave, which takes fire at any supposed insult, and renounces interest at the call of honour. Such national propensities to war, are not checked, but promoted, by the disposition of the present monarch, who loves the clang of arms, although he possesses none of those talents which are necessary to form a military prince; and his antipathy to the English is supposed to have subsisted ever since the year 1740, when, being king of Naples, a British fleet compelled him to withdraw his troops from the Spanish army, and sign a neutrality, in order to save his capital from destruction.

The close connection which subsisted between the two branches of the house of Bourbon, leaves no room to doubt, that the court of Versailles was to have become a party in the war, had it broke out, although the kingdom of France was not in a situation to begin new broils. The misconduct of Louis XVth, had been the chief cause of the defeats, disgraces, and bankruptcy, which had attended the last war; as weak kings are frequently most tenacious of despotic rule, this monarch was fond of exercising every attribute of absolute sovereignty, and demanded from his parliament an implicit acquiescence in his edicts. Whilst the English nation besieged the throne with their complaints against the house of Commons, the French were excited to a ferment, almost as violent, against their king, for his  
authoritative

authoritative control over their parliaments ; and the noble stand which those assemblies made against the mandates of a tyrant, was admired and respected by the whole nation. Nor was this the only source of discontent against the sovereign : notwithstanding the vast revenues of France, yet the interest, payable upon the debts contracted during the last war, together with the expences of government, and of the crown, exceeded the income, in the beginning of the year 1769, upwards of three millions and a half sterling annually. By forced reductions of interest, which only an arbitrary government is able to make, but which must inevitably destroy all confidence, and deprive the state of relief in future exigencies, considerable savings were made, and new imposts on the people furnished some provision for this annual waste\*. Although such was the exhausted state of France, yet the Duke de Choiseul, who was prime minister, appeared inclined to enter on a war with Great-Britain. When Lord North was asked, in the house of Commons, whether France had interposed or not in our dispute with Spain, he did not choose to resolve that question ; and as Choiseul quitted his employments a little before the court of Spain came into the terms insisted upon by the British cabinet, it is highly probable, that this concession was forced from it, by her ally having adopted a new system of conduct.

The expences which Great-Britain had incurred by preparing for war, were enormous. Immediately on the meeting of parliament, forty thousand seamen were voted ; the charge of which, together with the ordinary of the navy, building and rebuilding ships, and the payment of a navy-debt, amounted to 3,082,499 l. The land forces in Great-Britain, Guernsey, and Jersey, were augmented to twenty-three thousand four hundred and thirty-two effective men, including two thousand one hundred and two invalids,

\* Price, on the debts and resources of France.

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which, together with the extraordinary expences of the army, amounted to 1,858,779 l. The sum of 28,365 l. was voted to the East India Company, to reimburse them the expences incurred by the expedition against the Manillas; and 6009 l. to the American province of New Hampshire, to reimburse it the expences of provisions and stores to the troops raised by them for the campaign of the year 1756; 1,800,000 l. in Exchequer bills was renewed; so that the whole amount of the supplies for the year 1771, was 7,158,799 l. To raise which, the land-tax was fixed at 4 s. in the pound, and the duties upon malt were as usual; the third yearly payment from the East India Company, of 400,000 l. was applied, 200,000 l. was raised by a lottery, 691,977 l. was drawn from the sinking fund to the 5th of April, being the sum remaining in the Exchequer, after the anticipation of the former year had been paid off. That fund was again charged with 1,650,000 l. for the current year, and the overplus of grants for the service of the preceding year, was applied to the present supply, amounting to 89,658 l. two hundred additional hackney-coaches were licensed, for each of which 5 s. a week was to be paid. The ways and means were calculated to exceed the supplies, 481,003 l.

During this session of parliament, a circumstance, in itself trivial, caused a great misunderstanding between the two houses: Before the Christmas recess, the Duke of Richmond made a motion for an address for quickening our preparations, and putting our valuable possessions in the West Indies and the Mediterranean, in a proper state of defence. In his speech, he expatiated on the defenceless state of Gibraltar, when he was interrupted by a proposal being made, that the house should be immediately cleared; this was objected to, and a great clamour ensued. Eighteen

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peers,



peers, disgusted at the proceedings of the ministerial party, quitted the house in a body; and soon after, several members of the house of Commons, who attended at the bar of the house with a bill, were, on their delivering of it, desired to withdraw. Many of the peers who had withdrawn from the house of Lords, proceeded to that of the Commons, and were there, when the members, who had been excluded the upper house, returned to their seats, and represented the treatment they had just then received. A gentleman on the treasury-bench hereupon moved, that the house should be cleared, peers and all, which, after some opposition, was carried; so that those very lords, who had quitted their own house in disgust, at finding themselves unable to prevent the members of the house of Commons being excluded from thence, were driven from the other house, by the resentment which that very exclusion had excited. Much ill blood was bred between the two houses by this conduct. The lords soon after issued strict orders, that no person whatever should be admitted into their house for the future, except such members of the house of Commons as should come to present bills, and they also to depart as soon as they had made the usual obediences. This misunderstanding continued during the remainder of the session. A protest against this order was entered on the journals, signed by sixteen peers.

The apprehensions of foreign war being now removed, fresh internal contentions disturbed this season of repose. The house of Commons, in the case of the Middlesex election, had, themselves, defined their own privileges, and had maintained them in defiance of the clamour and discontent which the nation expressed against a power self-created, till then, unknown in the latitude in which it was, in that case, exercised. The alarm which this innovation had spread, was at length so much subsided, that no farther commotions

commotions were to be apprehended from the establishment of the precedent, when, all at once, the house was drawn into a disgraceful contest, not upon a national question, but with a few inconsiderable individuals, which terminated very unfavourably to the dignity of parliament.

The printers of certain news-papers, had inserted in those publications, what they called the speeches of particular members of the house of Commons: this presumption, the members on whom the speeches were fathered, complained of to the house, and the printers were ordered to attend; which order they did not think proper to comply with: the messengers reported, that they had not seen the printers; and the house made an order, that the leaving the summons at the printer's house, should be deemed a sufficient notice of attendance. The practice of retailing in periodical publications the substance of what was delivered in parliament, guarded however by feigned names and a slight transmutation of circumstances, had prevailed for near forty years; and the writer, who has now risen to the highest eminence, and who, on account of the magnitude of his conceptions, and great compass of knowledge, has been styled "the Colossus of Literature," was one of the first who regularly gratified the public with the debates of the senate. Individuals were frequently displeased with the liberty which was taken with their harangues, and were solicitous to confine their sentiments within the walls where they were delivered; and there are instances, in which the house of Commons, as a body, have adopted the sentiments of such members, and ordered publishers into custody for printing their speeches. In the present instance, the gentleman who lodged the complaint\*, stated, that he had been grossly

\* Mr. George Onslow.

misrepresented, and that the speech given in the newspapers as his, had a tendency to injure him greatly in the opinion of his constituents. This brought on a debate upon the liberty of the press. It was said, that ministerial writers were publicly encouraged in the most flagrant abuses of the press, and that while this was done in one instance, whereby some of the most respectable characters in the kingdom were mangled, without regard to shame or to truth, it was in vain to curb it in other cases, or to say to licentiousness, so far shalt thou go, but no farther; and that altho' misrepresentations of any member were undoubtedly infamous, yet they ought to be legally punished by the person injured, and not by the authority of the house; which, however well supported by precedent, not being conducted by the ordinary forms of legal proceeding, had ever an odious and oppressive appearance. It was maintained, that except the instances in which the house of Commons is a court of judicature, to which, from the nature of their office, a coercive power must belong, and, excepting such contempts as immediately interrupt their proceedings, they have no legal authority to imprison a man for any supposed violation of privilege whatsoever. The privilege now claimed has never been defined or confirmed by statute; neither can it be said, with any colour of truth, to be a part of the common law of England, which had grown into prescription long before we knew any thing of the existence of a house of Commons. The power of creating new privileges has been formally renounced by both houses, and there is no code, say they, in which we can study the law of parliament. To establish a claim of privilege in either house, and to distinguish original right from usurpation, it must appear, that it is indispensibly necessary for the performance of the duty they are employed in, and also, that it has been uniformly allowed. There is no precedent, from the year

1265, to the death of Queen Elizabeth, of the house of Commons having imprisoned any man, not a member of their house, for contempt, or breach of privilege. They never took the power of punishing into their own hands; they either sought redress by petition to the sovereign, or applied to the house of Lords; and, when satisfaction was denied them, or delayed, their only remedy was, refusing to proceed on the King's business.

As the subject of privilege, as claimed by the house of Commons, now became agitated, the principles of the constitution, particularly as they affected the rights assumed by the representatives of the people, were enquired into, and much valuable knowledge communicated from the press. A writer of distinguished abilities insisted, that the greatest and most exceptionable parts of the privilege of parliament now contended for, were introduced and asserted by a house of Commons which abolished both monarchy and *peerage*, and whose proceedings could be no ways reconciled to the forms of the constitution. It is a leading maxim of the laws of England, and without it all laws are nugatory; that there is no right without a remedy, nor any legal power without a course to carry it into effect. Let the power now in question be tried by this rule. The courts of criminal justice are open to prosecutions, which the attorney-general may commence by information, or indictment. A libel tending to asperse or vilify the house of Commons, or any of its members, may be as severely punished in the court of King's-Bench, as a libel upon the King; and the house will consult its real dignity much better, by appealing to the laws when they are offended, than by violating the first principle of natural justice, which forbids us to be judges, when we are parties to the cause.



It was however the opinion of a very great majority, that the dignity of that house must be supported at all events, and that the delinquents should be taken into the custody of the serjeant at arms, for contempt of the orders issued by the speaker.

At any other time, the offenders would have been left to feel the resentment of that power, whose authority they had trifled with; but it cannot be doubted, that a plan was now formed to shew to the world, how little able the Commons of England were, to support that controlling power over the subject, which they had assumed, whenever the civil magistracy should refuse its concurrence. Those who were most interested in the decision upon the Middlesex election, were undoubtedly the chief instigators to this contest; and the refractory printers were imboldened in their contumacy by a junto, who aimed at disgracing parliament. The language which these held was, we have nothing to apprehend from prerogative, but every thing from undue influence. Formerly it was the interest of the people, that the privileges of parliament should be left unlimited and undefined: at present, it is not only their interest, but necessary, even to the preservation of the constitution, that the privileges of parliament should be strictly ascertained, and confined within the narrowest bounds the nature of their institution will admit of. Upon the same principle that prerogative was resisted in the last century, privilege is now to be resisted. It is immaterial, whether the crown, by its own immediate act, imposes new, and dispenses with old, laws, or whether the same arbitrary power, produces the same effects, through the medium of the house of Commons,

In consequence of the orders given to the serjeant at arms, that officer went to the houses of the parties, but they were  
constantly

constantly denied to him ; and their servants even accompanied their answers with contemptuous sneers, which the officer reported to the house ; whereupon it was resolved to address the throne, praying his majesty to issue his royal proclamation against the delinquents, and offering a reward for apprehending them ; which was accordingly inserted in the Gazette, and fifty pounds a piece offered for taking them.

Hereupon, Wheble, one of the printers mentioned in the proclamation, was apprehended, and carried before Alderman Wilkes at Guildhall, and was by him discharged, and bound over in a recognizance to prosecute the captor for an assault and false imprisonment ; who was also obliged to give bail for his appearance at the next sessions, to answer for the offence. The magistrate then wrote a letter to the Earl of Halifax, secretary of state, informing him of his proceeding, and the motives which led him so to act. Wheble, he observed, was not charged with any crime in the proclamation, and without some crime being charged and proved, it was violating the rights of an Englishman, as well as the chartered privileges of the city of London, to take such a man into custody.

Thompson, the other printer, was apprehended in like manner ; and in like manner discharged by Mr. Alderman Oliver. Certificates were given by the two magistrates to the parties who apprehended Wheble and Thompson, testifying their having brought the persons described in the proclamation before them, whereby they might lay claim to the reward offered in the proclamation. The claimants had literally executed the business for which the reward was promised, in carrying the persons described before proper magistrates, as was directed to be done ; but the whole was

evidently a mere collusion, and utterly repugnant to the spirit of the proclamation. The lords of the treasury therefore, refused to pay the reward for a transaction so nugatory.

The house of Commons seemed to grow more determined in its resentment upon being thus baffled. Six other printers were now named; and a motion was made, seconded, and agreed to, that they should be proceeded against. Miller, the printer of the London Evening Post, one of the six, was apprehended by a messenger of the house of Commons, in his own house \*. He immediately sent for a constable, whom he charged to take the messenger into custody, and carried him to the Mansion-house, before Brads Crosby, the lord mayor; where the aldermen Wilkes and Oliver likewise sat. The deputy serjeant at arms attended, and demanded in the name of the Speaker, that both the messenger and the printer should be delivered up to him; this was refused by the lord mayor, who asked for what crime, and upon what authority the messenger had arrested the printer; it was answered, that he had done it by warrant from the Speaker. It was then asked, if that warrant had been backed by a city magistrate; which being answered in the negative, the warrant was demanded, and after much altercation produced; and its invalidity being argued by the printer's counsel, the three magistrates present discharged him from confinement. Miller then proceeded to lodge a complaint against the messenger for an assault and false imprisonment, and having proved the facts to the satisfaction of the court, the messenger was asked for bail; which the serjeant having refused to comply with, a warrant for his commitment to prison was made out, and signed by the lord mayor and the two aldermen; which was no sooner exe-

\* March 15, 1771.

cuted,

cuted, than the serjeant consented to the giving of bail, which was admitted.

The boldness of this proceeding, and the open defiance which was hurled at parliamentary privileges, when claimed independent of law, astonished the nation; whilst the indignation of the house at the insult which their officer had received, rose to a height that seemed to threaten severe chastisement to the magisterial triumvirate. The lord mayor and Mr. Oliver, being members of the house, were ordered to attend in their places; and Mr. Wilkes, at the bar of the house. The two members accordingly attended. The lord mayor was much indisposed; he justified his conduct by the oath of office he had taken, and by which he was obliged to observe inviolable the franchises of the city of London. He farther alleged, that the city charters excepted citizens from any law-process being served, by any other than their own proper officers. He pleaded, that these chartered privileges were recognized by an act of parliament. Such being the obligations under which he was laid, as chief magistrate, it became his indispensable duty to act in the manner he had done, and prayed to be heard by counsel; but this was not permitted, it being observed, that it was absurd for counsel to be suffered to plead at the bar of that house, against its privileges: the rejecting this request to be heard by counsel, was also supported by a precedent, drawn from the reign of Henry VIII.

The lord mayor's clerk was then ordered to attend with the book of minutes; and being ordered up to the table, a motion was made and carried, that the recognizance of Whittam the messenger, which was there entered, should be erased out of the book; after which, a resolution was passed,



passed, that there should be no farther proceedings at law in that case.

Considering the disposition which was shewn to dispute the authority of the house of Commons, the permitting the clerk to attend with the minutes, in consequence of an order from the Speaker, will appear to be giving up the point for which they contended, in that instance. Indeed, the order might have been complied with, for the purpose of insnaring the house; on the supposition that more disgrace would accrue from their erasing a public record, than from reiterated contempt being shewn to its summonses. But the true reason was, that the alderman who then sat, was not disposed to maintain the contest.

This new kind of *noli prosequi* was strongly inveighed against by many members. It was, they said, assuming and exercising a power of the most dangerous nature, with which the constitution had not intrusted any part of the legislature; and that the effacing of a record, stopping the course of justice, and suspending the law of the land, were among the heaviest charges that could be brought against the most arbitrary despot.

The advocates for the privileges of the house maintained, that the charter of the city of London being granted by the crown, no rights, thereby conveyed, could interfere with the inherent privileges of that house; as the crown itself had no power to make such grants, the privileges of the house of Commons being a check upon the other branches of the legislature; that consequently, their cause was the cause of liberty, and of the people at large; and, if the powers of the house of Commons were weakened, the security to liberty would be equally so. It was then

then resolved, that the discharging of Miller from the custody of the messenger, was a breach of privilege. The numbers for the resolution, two hundred and seventy-two against ninety. The house then resolved, that it was a breach of privilege to apprehend the messenger of the house executing his warrant, under pretence of an assault; and that it was a breach of privilege, to hold the messenger to bail for such pretended assault. The business, when advanced to this stage, had detained the house till one o'clock in the morning: Mr. Oliver was then asked, what he had to urge in his defence? He replied, that he owned and gloried in the fact laid to his charge; no justification, he knew, could avert the punishment intended for him; he was conscious of having done his duty, and was indifferent about the consequences; and as he thought it in vain to appeal to justice, so he defied the threats of power.

Hereupon it was moved, that Mr. Oliver should be sent to the Tower; which, after much warm debate, was carried by one hundred and seventy to fifty-eight, and he was accordingly conveyed thither at that late hour, by virtue of the Speaker's warrant. The lord mayor being, at that time, much indisposed, the proceedings against him were deferred.

Whilst these matters were depending in parliament, a court of common council, was summoned at Guildhall, when Alderman Trecothick officiated as *locum tenens* for the lord mayor. Public thanks, in writing, were there voted to the lord mayor and the two aldermen, for having supported the privileges and franchises of the city, and defended our excellent constitution. A committee of four aldermen and eight commoners, was also appointed to assist them in making

ing their defence, with instructions to employ such counsel as they should think proper upon this important occasion, and powers to draw upon the chamber of London for any sum not exceeding 500*l*.

Two days after the commitment of Mr. Oliver\*, the lord mayor, with his committee, attended the house of Commons to receive his sentence. The populace, on this occasion, assembled in vast crowds, and many violences were committed on such members of parliament as had incurred their resentment. The whole strength of the civil power was exerted on this occasion, to repel the popular fury; and, at length, by the interposition and persuasion of some members of the house of Commons, who stood on the best terms with the people, the mob were prevailed upon to retire at a greater distance from Westminster-hall, which they had, in a manner, closely besieged. The military power was not called forth upon this day's tumult, altho' a large body, both of horse and foot, were in readiness, if exigencies demanded their interposition.

The house being assembled, the lord mayor said, he looked upon his case as already prejudged, and would therefore add nothing to what he had before urged in his defence. The house, however, on account of his ill state of health, were inclined to shew him some indulgence; and it was moved, that he should be taken into the custody of the serjeant at arms, instead of being sent to the Tower; but the magistrate disclaimed all such lenity, and said, that whatever might be his state of health, he gloried in undergoing the same fate as his friend. The question for his commitment to the Tower was then put, and carried by

\* March 27, 1771.

two hundred and two against thirty-nine. On his way thither, although it was now midnight, the populace took his horses from his coach, and drew it to Temple-bar. When arrived there, they shut the city gates, and insisted on the deputy serjeant, who accompanied the lord mayor, quitting the coach, and proceeding no farther. The lord mayor was hereupon obliged to interpose, and by assuring them that the gentlemen, who were with him, were his particular friends, and were to accompany him home, removed their apprehensions. They then proceeded to drag the carriage onwards, with shouts of applause, to the mansion-house, where the ovation ended. His lordship, as soon as the mob dispersed, proceeded privately to the Tower.

The two prisoners were soon after brought up by writ of *habeas corpus* to the court of Common Pleas, when, after a full hearing of their counsel, the judges were unanimously of opinion, that the court was not competent to judge of the conduct of the house of Commons; whereupon the prisoners were remanded, and continued in their confinement until the end of the session, receiving addresses of thanks and congratulations from various parts of the kingdom.

It required no uncommon share of discernment to foretel, that the inflexibility of the city magistrates, would entangle the house of Commons in a dispute, in which they had every thing to lose and nothing to gain; but the disgraces which this precipitate conduct drew after it, were not completed by the commitment of the lord mayor. The supporters of parliamentary edicts, were now extremely embarrassed how to proceed against the other culprit, Mr. Wilkes; they had already experienced both his firmness  
and



and abilities, and appeared really afraid of encountering a man of his unconquerable spirit. Those who wished farther to involve the house, asked, why that gentleman was allowed to triumph in his contumacy? was he above or below the law? Was it fear or contempt that dictated such a conduct? These sarcasms occasioned an order to be issued, that Mr. Wilkes should attend; but instead of obeying the summons, that gentleman addressed a letter to the Speaker, in which he observed, "that in the order for his attendance, no notice was taken of his being a member of the house, and that he should attend in his place; which circumstance, he said, according to the settled form, ought to have been mentioned. In the name of the freeholders of Middlesex he again demanded his seat in parliament, being ready to take the oaths prescribed by law, and to give in his qualification as knight of the shire. When thus admitted to his seat, he would give the house an exact detail, which would necessarily comprehend a full justification of his conduct, relative to the late illegal proclamation; equally injurious to the honour of the crown, and the rights of the subjects; and likewise the whole business of the printers. He had acted, he said, entirely from a sense of duty to the great city, whose franchises he was sworn to maintain, and to his country, whose noble constitution he revered, and whose liberties, at the price of his blood, to the last moment of his life, he would defend and support."

This letter a member presented to the Speaker whilst the house was sitting; but the sense of the house being taken, it was neither received nor admitted to be read. Other orders were issued for his attendance, to which he paid no regard. At length, a few days before the recess at Easter, the house hit upon such an expedient to get rid of this business, as fully proved the deep dilemma into which they were plunged:

plunged : they issued an order that he should attend on the eighth of April, and then adjourned to the ninth. So much had the idea of the dignity and importance of the house of Commons, from whence these proceedings originated, been lost in the contest !

Such members as from the first had opposed these measures, did not fail to utter the most mortifying reproaches on the ignominious conclusion of this unfortunate business. They said, every exertion which the house had made, in defence of their privileges, had only tended to lower the estimation in which their power was held by the world. Their commands were not obeyed, nor their punishments dreaded ; for the people having converted them into marks of honour, they must be considered as conferring rewards. The majority in the house, not only felt, but acknowledged the propriety of these remarks ; but they were desirous of taking some measures by which these consequences might be removed, and the power and privileges of the house of Commons established on a respectable basis. Accordingly a special committee was chosen by ballot, for the purpose of asserting and maintaining their dignity. The result of such an appointment excited great expectations in the public, and nothing short of expulsion and disqualification was expected to fall on the imprisoned members, whilst the punishment which awaited Mr. Wilkes was more doubtfully augured. After the committee had sat a considerable time, they reported to the house, the various cases which appeared upon the journals, in which that house had exercised the power of apprehension and imprisonment ; and concluded with recommending to the house, that J. Miller should be taken into custody ; which measure, however, the house did not think fit to adopt ; and this long protracted and disgraceful contest

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was finally given up. Not but many able speakers laboured to bring the house, to exercise the power of which it was possessed, of expelling its refractory members; and as it was an offence committed immediately against that legislative body, they urged the greater propriety of such a step in this instance, even than in the late expulsion of Mr. Wilkes; who at that time, had not filled up the measure of his iniquity, by adding contempt of the authority of parliament to his other crimes; but the ministry were unwilling to make so bold a use of the precedent which had been so very recently established; and it appeared to many, to be extremely doubtful, whether it would be in the power of government to make head against the clamour and discontent which such a proceeding would excite; and as the least of two evils, the house of Commons was left to bear its disgrace, rather than the nation should be plunged into anarchy.

The news-papers, from henceforth, threw off all restraint, and in the course of the next session, the daily proceedings of parliament were circumstantially related in the prints of the next morning; and whether the sentiments and expressions of each member, were fairly given, or grossly perverted, depending on the capacity or humour of the writer, for the house no longer fulminated against traducers.

Towards the close of the session, a bill was brought in, to enable the East India Company to raise and support a military force, for the defence and protection of their settlements. Thereby that body was to be empowered to raise two thousand men, who were to be paid by the company, but the officers were to be appointed by the crown. This force was to be composed of six hundred German protestants, seven hundred Irish catholics, and seven hundred

dred were to be raised in England. These troops were to be subject to the military laws, during their continuance in England, and fourteen hundred of them were to be annually sent to the East Indies. It farther empowered the company's officers to recruit with beat of drum, in the manner practised by the regular troops:

Among the numerous instances which the present age produces, of the departure of governments and inferior communities, from those principles upon which they were at first formed, the transformation of a body of merchants into sovereigns; virtually possessing a large, rich, and populous kingdom; is the most singular and remarkable. Fourteen years had not elapsed, since their principal settlement in Bengal, became subject to a barbarous enemy, and their governor, council, and chief officers, were driven, like an herd of cattle, into a noisome dungeon, miserably to perish. It then hung, nicely suspended in the scales of fate, whether the company should possess a foot of land in those very territories, over which, in less than a twelve month afterwards, they gained a controlling power.

The possession of the territorial revenues of the provinces of Bengal, Bahar, and Orissa, had opened such inviting prospects to ambitious and rapacious men, that the original mode of carrying on a beneficial traffic with the natives, by conciliating their good-will and confidence, was entirely lost, in an intemperate rage for conquest, and establishing the power of the sword in violation of justice and humanity. The representations which the company's servants in India, made of the state of affairs there, appeared to be so congenial to the interests of the proprietary, that the revenues of the country became an object as eagerly sought after as its manufactures; and, as grants extorted by force of

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arms,



arms, must be held by the same means, a continual supply of fresh troops from Europe was necessary ; the climate being much more fatal to the common men, than the enemies against whom they were led.

The application, which the company now made to parliament, was supported by the weight of government. The imports of the company brought large sums directly into the exchequer ; and the Asiatic wealth which centered in the nation, greatly increased every branch of the public revenue in the course of its circulation : and what government, now subsisting on earth, would sacrifice such important objects of finance, for the preservation of public virtue and the honour of the national character ?

Many weighty objections, however, were made to this bill : that it was unconstitutional to keep an armed power in the kingdom, which was independent of parliament for its pay ; that the introducing of foreign troops was contrary to the act of settlement ; and, that it was highly dangerous to establish such a precedent. The replies made to these objections, were chiefly directed, to shew the expediency of the measure, in order to remove the inconveniences which the company laboured under. It was observed, that a greater number of men were every year sent off at present, than was provided for by this act ; but many were obtained in an indirect and unwarrantable manner : such were the arts practised by the kidnappers, and the compulsions used in lock-up houses ; and that it was with a view to render these means of recruiting unnecessary, that the present plan was formed. Indeed, the idea of procuring German soldiers, was, after some time dropped ; and many restrictions, as to the regulation of the troops, whilst in England, were proposed ; but, after the bill had been twice  
read,

read, a great majority in favour of it, having been obtained each time, it was thrown out on the third reading. The parliament rose on the 8th of May.

The death of Lord Halifax, which happened soon after the rising of parliament, occasioned some alterations in the arrangement of the great officers of state. The Earl of Suffolk succeeded to the secretaryship for the northern department, and the Duke of Grafton succeeded Lord Suffolk in the privy-seal.

## CHAP. II.

*Seamen voted—Petition of the clergy to be relieved from subscribing to the thirty-nine articles—Arguments urged on both sides—Royal marriage bill—Mr. Sullivan's bill for regulating the affairs of the East India Company—Lord Clive's defence of his conduct—Reply made—Select committee to enquire into the affairs of the company—Bill for the relief of protestant dissenters—Views of the minister for the reduction of the national debt—Observations on the condition and prospects of the nation as described by Lord North—Mr. Alderman Townsend brings the question on the Middlesex election before the court of king's bench—Changes in various departments—Sudden failures in the city of London, and their consequences.*

**A**S little public business was likely to employ the two houses, parliament did not meet until the 21st of January 1772. The strength of the ministry was soon found to be increased by several members, who had, on for-

mer occasions, distinguished themselves by opposing the measures of administration, who were now induced to change their sentiments, and give their entire support to government.

A state of public tranquillity imparts stability to a minister, and as it frees him from those restraints which opposing sentiments create, it yields scope for the exercise of his talents, and the application of them to the general interests of the state.

Twenty-five thousand seamen were voted for the service of the current year, and although it was objected that so large a number in time of peace would add half a million to the public burden, it was carried without a division. Sound policy dictates, that our grand national security should be ever assiduously attended to, even in the most quiet times; but sailors upon paper, are destructive means of speculation.

A great reform in the guard ships was promised: the conduct with respect to them was declared to have been so shameful, that for many years back they had been considered merely as jobs; and, it was said, that at the time of the late expected war, there were neither ships nor men fit for service; but that things were now so much altered for the better, that twenty of the best ships in the navy were kept upon that duty, and were in such complete condition, and so nearly manned, that a slight press would at any time enable them in a few days to proceed to sea: that the rest of the fleet was also in good condition; and that in about a year, we should have near eighty ships of the line fit for service, besides those that were upon foreign duty.

The halcyon days of peace, with which the nation was now blessed, afforded a favourable opportunity for introducing reformatations in the state, and modelling legal establishments

blishments in conformity to the changes of times, and the fuller discovery of truth, which had been made through a succession of ages. A petition was therefore presented to the house of Commons \*, by Sir William Meredith, signed by a great number of the clergy of the church of England, and members of the profession of civil law and physic, praying relief from the subscription to the thirty-nine articles of faith.

This petition stated it to be one of the great principles of the protestant religion, that every thing necessary to salvation, is fully and sufficiently contained in the holy scriptures; that the petitioners have an inherent right, which they hold from God only, to make a full and free use of their private judgment in the interpretation of those scriptures; that though these were the liberal and original principles of the church of England, and upon which the reformation from popery was founded, they had been deviated from in the laws relative to subscription; by which they are deprived of their invaluable rights and privileges, and required to acknowledge certain articles and confessions of faith and doctrine, drawn up by fallible men, to be all and every of them agreeable to the scriptures.

Such subscriptions were farther represented, as a great hinderance to the spreading of true religion, as they discouraged free enquiries into the real sense of the sacred writings, tended to divide communions, and to cause mutual dislike among fellow protestants. That the diversity of opinions, held upon many of these articles, occasioned great animosity and ill-will among the established clergy; that they afforded an opportunity to unbelievers to charge them with prevarication, and with being guided by interested

\* February 6, 1772.



ed and political views, in subscribing to articles which they could not believe, and about which no two were agreed in opinion; and that they afforded a handle to papists, to reproach them with their inconsistency, by departing from the principles on which they had grounded their separation from them, and now admitting of human ordinances, and doubtful and precarious doctrines; though they pretended that the scripture alone was certain and sufficient to salvation.

The two professions of civil law and physic, complained of the hardships they suffered, at one of the universities particularly, where they were obliged, at their first admission, or matriculation, and at an age so immature for disquisitions and decisions of such moment, to subscribe their unfeigned assent to a variety of theological propositions, in order to be able to attain academical degrees in their respective faculties; and that their private opinions upon those subjects can be of no consequence to the public, as the course of their studies and the attention to their practice, neither afford them the means or the leisure, to examine into the propriety, or nature of such propositions. They also lamented the misfortune of their sons, who, at an age before the habit of reflection can be formed, or their judgment matured, may be irrecoverably bound down in points of the highest consequence, to the opinions and tenets of ages less informed than their own.

Sir William Meredith, after having brought up the petition, said, that the prayer of it was of such importance, as highly merited the most serious consideration; as grievances which affect the conscience, are of all others the most grievous: that it was repugnant to that liberality of sentiment which happily prevailed in the present age, to oblige people to subscribe to the truth of articles which they could  
not

not believe; such injunctions tended to establish, under a religious authority, habits of prevarication and irreligion: and were productive of great licentiousness in the church, and had a farther tendency to destroy Christian charity. The removal of these unworthy shackles he affirmed, would give a firmness of strength to the established church of England, which nothing could shake; nor could any danger arise from such a reformation, whilst the hierarchy and the bishops existed.

Sir Roger Newdigate was the great champion of the high church party upon this occasion. He considered the petition as a prayer to put an end to the very being of the church of England, as he knew not where to find it, as a national church, he said, but in its thirty-nine articles and book of common prayer. He understood, he said, that the greater number of those, who had signed the petition, were clergymen, who must therefore have subscribed these exceptionable articles; so that however tender their consciences are at present, they could quiet them in that instance. It was such tender consciences, he said, that subverted the church of England in the last century; and he foretold, that similar consequences would now ensue, if the house granted the indulgence prayed for. The house, he said, had no power to dispense with oaths, nothing could relieve those who had already subscribed. He maintained, that the house could not receive the petition, for to comply with it, would be a direct breach of the articles of union, by which England and Scotland are now knit together. Our king, as the third part of the state, is bound by oath, never to admit any alteration either in the liturgy or in the articles.

Mr. Hans Stanley spoke next, with much more moderation, though totally against the petition. He expressed himself

himself desirous of shewing all due respect to so serious a subject, but he perceived a sort of contradiction in the petition, which rendered it an unfit subject of future deliberation for the house. Indeed, it was not entirely a new proposition, to alter the religion of a country, it had been done here in the reign of Edward VI. If a change of religion takes place in the governing powers, it authorizes such an alteration; but he observed, that there was a seeming contradiction in the inferior number coming to the majority to solicit a material alteration in religion\*. He had heard it pretty generally said, that it was the original intention of the subscribers, to object to certain articles of the thirty-nine, and to certain parts of the litany, but not being able to agree among themselves upon the particular parts to be expunged, they had brought the house, as well as themselves, into a very embarrassed situation. These gentlemen apply to become members of an ecclesiastical community, namely, the church of England, and in the same breath, they desire the foundation, on which that constitution is built, to be removed.

He declared himself as warm a friend to toleration as any one within those walls, but he considered toleration as a relative term, signifying a community which had a national church, and tolerated inferior sects. Every one should certainly believe and profess that, which in his own mind, appears best and most acceptable to the Supreme Being: but these petitioners, he said, seemed to wear the garb of private sectaries. If they have a mind, under the sanction of toleration, to teach what they please, allow them so to do,

\* There were about two hundred and forty names to the petition. It was reckoned that two hundred clergymen had signed it. The clergy of the church of England were calculated to amount to twenty thousand, by a member of the house of Commons on another occasion.

but let them not, under the garb of the church of England, teach such doctrines. Such a conduct would be absurd, if it was followed by any particular sect, how much more so to be adopted by the established church! No reformer, he insisted, whose name has been transmitted down to us with any honour and approbation, ever framed so wild an idea, as that of putting all religious creeds upon a level,

The first question is, Do you believe the holy scriptures? The second is, In what sense do you understand them? If all the founders of religious systems, says he, were alive at the same time, I am persuaded they would compose as numerous an army, as that with which Alexander subdued the Persian empire, yet every one of them would derive his tenets from the scriptures: but the wisdom of all countries has rather chosen to trust to explanations, derived from the mature labour and consideration of a venerable and pious hierarchy, than to the crude fancies and notions of every assuming dogmatizer, who desires to make himself famous for the singularity of his sentiments: on this account, systems and creeds have prevailed all over christendom,

Where is the great hardship to persons, who from scruples of their own, which they may be very much in the right to indulge, if they are sincere, for them to take to other virtuous employments, if they cannot accept of church-preferments on the terms upon which they are now to be taken? But at the same time he allowed, that there might be many hard cases; but where are the general laws, says he, that can guard against inconveniencies to individuals?

He concluded with saying, that he thought the peace of mankind a fortieth article, which he valued and prized as much as the whole thirty-nine; and though there have been



been many disputes about the civil administration of this country, yet respecting its ecclesiastical affairs, we have, since the accession of the house of Hanover, enjoyed more peace, than any other age, or any other country can boast; he therefore begged the house to consider, how far it might be prudent to agitate this matter, and how far the corrosives of religious controversy, thrown in, when other heats have prevailed too much, may be likely to produce fatal consequences. It is inconsistent, it is dangerous, to bring such a business before parliament: for though a free country may alter any law, for law is the creature of the legislature, and can be altered, yet there are laws so fundamental, that they cannot be altered without shaking the basis of the state.

Mr. Wedderburne (solicitor general) was also of opinion, that to subscribe a belief of some certain articles of faith, was necessary for the clergy in any establishment; the church of Geneva, one of the most liberal establishments in Europe, he said, imposed such forms on their clergy: the objection to granting the petition, because it would violate the act of union, he however shewed to be ill founded, as it had been in such a sense violated both with respect to England and to Scotland, the legislature having exerted a power of altering church-government since the union, by the act against occasional conformity in England; and that which destroyed elective patronages in Scotland, by the latter of which the people at large were deprived of the right of electing their pastors.

It was observed by Mr. Burke, that the church of England subsisted before the thirty-nine articles were framed, and consequently the thirty-nine articles could not be essential to the existence of the church of England: the articles of the church at first consisted of forty-two, why then  
might

might they not be farther reduced, as good sense and liberal sentiments gained ground? But what, says he, are we to understand by the holy scriptures, which these gentlemen desire to make a profession of their belief in? This appears to be a very indeterminate idea. The Romish canon admits of the books of the apocrypha; the canon of Luther excludes some parts of the pentateuch, and the whole epistle to the Hebrews; and some ancient fathers have rejected the book of Revelation. Mankind are as little likely to be of one mind on this point, as on any other.

Sir George Saville observed, that we, protestants, derive that appellation from the first adherents to those principles which we profess, having protested against forms prescribed by human authority? And shall we maintain the necessity of prescribing modes of faith, when our principles reject the idea of any such power belonging to human beings?

Mr. Thomas Pitt represented the hard case of the clergy, compelled by the constitution to give a formal assent to points of faith which they cannot possibly believe; and asked, what would that house, or any honest man say, if a judge, who by his oath is bound to administer justice conformably to the law of the land, should be obliged at the same time to interpret that law, plainly contrary to its true spirit and meaning?

The house in general seemed to be of opinion, that the professors of law and physic being bound in matter of subscription, was of small concernment to the public; but it was expressed as a wish on all sides of the house, that the universities would grant them relief in that respect, as well as to young students at the time of matriculation.

Lord

Lord George Germain insisted on the latter being a heavy grievance; for a youth at college to be required to sign his assent to, or belief of the thirty-nine articles, earlier than the age of sixteen, when it was not to be supposed that he could understand them, or had formed any sentiments about them, and a considerable time before the meaning of the oaths of allegiance and supremacy was thought likely to be intelligible, and consequently were not administered. He informed the house, that the university of Cambridge had been applied to for a repeal of this statute, the practice being founded on a by-law of their community, might be laid aside at pleasure: but notwithstanding the power being vested in them, they evaded compliance with the request, pleading, that, as a standing rule, they ought not to dispense with it.

The same speaker undertook to defend the character of the petitioners from the imputation which had been thrown out against them, that they renounced their principles, when, by subscribing the articles they accepted of church benefices. He said he lived in a county, where many of the neighbouring clergy had signed the petition, whom he knew to be worthy, conscientious, and pious men; many had assented to the articles with that forced construction which was put upon them, by those who could not believe the truth of some of them. The sentiments which many entertained at the time when they gave their assent to those articles, had been by farther reflection changed, and their conscientious scruples being awakened by such a different view of things, rendered the step they were now taking highly laudable, and acquitted them of all imputation of dissimulation in their former conformity.

Mr.

Mr. Soame Jenyns, in behalf of the university of Cambridge, said, that the practice of enjoining a subscription to the thirty-nine articles, being founded on a royal statute, ordained at the instance of king James I. the university did not consider itself at liberty to annul it.

Towards the close of the debate, Lord North delivered his sentiments on the question : he said, when he came down to the house, he hoped to have seen nothing in the petition to prevent him from recommending that it should be laid upon the table, meaning to oppose every attempt to go farther. Hereby designing to pay a compliment to the petitioners, out of respect to the principle upon which the petition was grounded, and then to move that the farther consideration of it might be put off for six months ; but in the course of the debate, he said, a stronger objection had arisen in his mind against bringing it up, and which outweighed every respect which he wished to have paid to the importance of the subject, for he thought it repugnant to the act of union, and if such indulgences should be granted, there would after that time, be nothing that could exclude a man out of the church of England, but popery ; and he was convinced that, to make any innovations in the forms now prescribed to the clergy of the established church, would occasion such contentions in the nation, that not poppy nor mandragora could ever medicine it to its former repose.

Mr. Dunning replied to this, that he never knew till then, that it was a principle of sound policy to narrow the means of access to emoluments ; and he had always thought, that every good subject ought to be considered as entitled to a proportional chance for obtaining posts of profit and honour. In the course of the debate, he said, he had remarked,



marked, that the same premises had led different members to very opposite conclusions : one member observed, that our reformation from popery was effected by the spirit which this petition was designed to promote ; and another member asserted, that the granting this petition, had a direct tendency to bring us back to popery. He could not foresee that the quiet of the nation would be endangered by granting the prayer of the petition ; but if the repose now enjoyed, partook at all of that torpid state of insensibility, which his lordship's mandragora had diffused through that house, he should wish to see it broke in upon as soon as possible ; for it was an alarming symptom, which, instead of betokening health, was the forerunner of destruction.

The debates were continued till after midnight, when, on a division, there appeared for receiving the petition 71, against receiving it 217. The petitioners by aiming at too much, lost every thing : had nothing farther been asked than an exemption from subscription to some certain of the articles, such request might probably have been attended to. The importance of this discussion, has led us to be circumstantial in the relation of it. The debates are given from minutes which were taken in the house at the time, and were never before printed.

The marriages of the two royal brothers, which had taken place during the summer\*, occasioned messages to be delivered from his majesty to both houses of parliament†,

\* The Duke of Cumberland married Mrs. Horton, a widow lady, daughter to Lord Irnham ; and the Duke of Gloucester had some time before been privately married to the Countess Dowager of Waldegrave, but that alliance was not then acknowledged, although generally understood.

† February 23, 1772.

in which he observed, that “ being desirous, from paternal affection to his own family, and anxious concern for the future welfare of his people, and the honour and dignity of his crown, that the right of approving all marriages in the royal family (which ever has belonged to the kings of this realm as a matter of public concern) may be made effectual, recommends to both houses, to take into their serious consideration, whether it may not be wise and expedient, to supply the defects of the laws now in being; and by some new provision, more effectually to guard the descendants of his late majesty, other than the issue of princesses who have married, or may hereafter marry into foreign families, from marrying without the approbation of his majesty, his heirs and successors, first had and obtained.

In compliance with this message, a bill was brought into the house of Lords, which discovered the fullest disposition in that house, to gratify every wish of his majesty in that respect. It acknowledged the legality of the powers claimed by the crown in the message, and enacted that all marriages entered into by any descendants of king George II. except only such as were particularly excepted in the message, without the previous consent of the king or his successors on the throne, signified under the great seal, and declared in council, should be null and void. But if such descendants having attained the age of twenty-five years, shall persist in his or her resolution to contract a marriage, disapproved of by the reigning prince; then, upon giving the privy-council, twelve months previous notice of their design, they may, after the expiration of that term, enter into marriage with the person before proposed and rejected, without the royal consent; unless both houses of parliament shall within that time, expressly declare their disapprobation of it; and whoever shall knowingly solemnize a marriage by this act forbidden,

forbidden, or assist at the celebration of such unlawful marriage, or any such matrimonial contract, on being duly convicted thereof, are declared to incur the pains and penalties ordained in the statute of provision and præmunire, made in the sixteenth year of the reign of Richard II.

The judges having been consulted when the business was first brought into the house, declared it to be their opinion, that the care and approbation of the marriages of the children and grand-children of the king, and the presumptive heir to the crown (other than the issue of foreign families) do belong to the kings of this realm; but to what other branch of the royal family such care and approbation do extend, they do not find precisely determined.

This bill met with great opposition in both houses: but notwithstanding every clause was strongly objected to, and a division of the house was called for on every part, yet it was carried through the house of Lords in less than a fortnight; the numbers for the bill being ninety, against it twenty-six. It produced however, two protests, one of which was signed by fourteen peers. The bill was therein reprobated for the following reasons. The maxim laid down in the preamble, that because marriages of the royal family are of the highest importance to the state, they are therefore entrusted to the kings of this realm, is founded on a doctrine absurd and unconstitutional, but which hereafter will have the force of a parliamentary declaration of law, the immediate tendency of which is to create as many prerogatives in the crown, as there are matters of importance in the state; and indeed, to extend them in a manner as vague and exceptionable, as had ever been done in the worst and most despotic period in the history of this nation: and they apprehended that some future, and even more dangerous

dangerous use may be made of this preamble, as it is much more extensive than is necessary for any purpose avowed in the bill: and this declaratory preamble is used, notwithstanding nine of the judges, in their unanimous opinion, delivered to the house of Lords, do not find any authority in support of the prerogative, in that extent in which it is assumed. The descendants of George II. in course of time may become very numerous, and it is conceived to be an intolerable grievance, that the marriage of so many subjects, perhaps dispersed among the various ranks of civil life, should be subject to the restrictions of this act; the extensive powers of which, may, in time, render the first families in the kingdom totally dependent on the crown. The age of twenty-one years appears to be the limit which the laws of this country, and the spirit of the constitution, have, with great wisdom, given to minority. It seems indecent to the royal family to suppose, they will not arrive at the age of discretion as soon as the lowest subject of the realm; and why may they not be as capable of choosing a wife at the age of twenty-one years, as of being entrusted with the regency of the kingdom, of which by the law they are at that age capable? Besides, the deferring their age of minority as to marriage till twenty-six, is impolitic and dangerous, as it may tend to drive them into a disorderly course of life, which ought the more to be guarded against in men of high rank, as the influence of their example is the most forcible and extensive.

The right of conferring a discretionary power of prohibiting all marriages, was asserted in the same protest to be above the reach of any legislature; because, contrary to the original inherent rights of human nature; which, as they are not derived from, or held under civil laws, by no civil laws whatever can be taken away; for though the

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legislature has a power of prescribing rules to marriage, as well as to every other species of contract, yet there is an essential difference between regulating the mode in which a right may be enjoyed, and establishing a principle which may tend entirely to annihilate that right. To disable a man during his whole life from contracting marriage, or what is tantamount, to make his power of contracting such marriage dependent neither on his own choice, nor upon any fixed rule of law, but on the arbitrary will of any man, or set of men, is exceeding the power permitted by the divine providence to human legislatures : it is directly against the earliest command, given by God to mankind, contrary to the right of domestic society and comfort, and to the desire of lawful posterity ; the first and best of the instincts planted in us by the Author of our nature, and utterly incompatible with all religion, natural and revealed ; and therefore a mere act of power, having neither the nature nor obligation of law. It concluded with saying, “ we cannot therefore, on the whole, avoid expressing our strong disapprobation of an act, which shakes so many of the foundations of law, religion, and public security, for ends wholly disproportioned to such extraordinary efforts, and in favour of regulations so ill calculated to answer the purposes for which they are made : and we make this protest, that it may stand recorded to that posterity, which may suffer from the mischievous consequences of this act, that we have no part in the confusions and calamities brought upon them.”

Another protest, which chiefly objected to the bill as a violation of the natural rights of mankind, and contrary to every principle of religion and humanity, was signed by six other peers\*.

\* Viz. Temple, Radnor, Clifton, Lyttelton, Abingdon, and Craven.

The opposition to the bill was yet stronger in the house of Commons. The preamble to the act was much objected to, as acknowledging and confirming the prerogative of the crown asserted in the message. A motion was made to omit that declaratory clause, when, after a very long debate, the motion was rejected by a majority of thirty-six only, when the house consisted of three hundred and sixty-four members.

A motion was then made to insert a clause, "that the act should continue in force during the reign of his present majesty, and three years after his demise, but no longer," but it was rejected, by a majority of eighteen only. Sir Joseph Mawby remarked, that the title of the bill was not sufficiently expressive; to remedy which, he proposed that it should run, "An act" for enlarging and extending the prerogatives of the crown, and for the encouragement of adultery and fornication, under pretence of "regulating the marriages of the royal family."

The bill continued for three weeks to engage the attention of the house, but was then passed without any material alteration, by a majority of fifty †.

Mr. Sullivan, deputy chairman of the East India Company, made a motion in the house of Commons, March 30, for leave to bring in a bill for the better regulation of the company's servants and concerns in India; the object of which bill, was, to establish a great variety of new and important regulations in those remote territories. It aimed at restraining the governor and council of Bengal from all concerns in trade, and went entirely to change

† March 24. One hundred and sixty-five to one hundred and fifteen.

the court of judicature, and the manner of administering justice there, and gave the court of directors a fuller control over their servants. This drew from Lord Clive a long and laboured defence of his conduct, during his last expedition to India. He declared, that the sole motive which led him to expose his feeble constitution, broken as it was, in the service of the company, to the sultry climate of Hindostan, and to the fatigues and dangers of war, was, a desire of doing essential service to the company, under whose auspices he had acquired his fortune and his fame. That, instead of increasing his fortune, he was several thousands poorer thereby. He had been charged with establishing a most destructive monopoly of salt, beetle-net, tobacco, and other commodities in Bengal, which was a principal cause of a dreadful famine and sickness which prevailed there, and swept away some millions of the inhabitants. In speaking to this charge, he confined himself to the duties laid upon salt; which, according to the population which he reckoned to be in the country, and the proportion each individual paid towards the tax, furnished data to calculate the yearly produce, which appears to have been the enormous sum of 437,500*l.* sterling. The reason he assigned for these imposts was, that the company's servants might receive an equivalent for the deductions made from their incomes, by the directors having absolutely forbidden the receiving of presents, and being deprived of a lucrative trade in salt. He acknowledged to have received 5-56th shares, which yielded him 32,000*l.* which sum he distributed among his secretary, surgeon, and another gentleman, together with 5000*l.* more. The establishing of a new gold currency in Bengal, during his lordship's presidency, had been represented as a measure calculated to enrich those concerned, to the great loss and injury of the province, as well as of the company. He  
exculpated

exculpated himself, by saying, that he knew nothing of the mixture of metals, and solemnly declared that he reaped not a shilling profit by the coinage. He charged the directors very roundly with having, either through obstinacy or ignorance, deranged and frustrated the best concerted plans of regulation in Bengal. He attributed the unlooked for embarrassments of the company's affairs to four causes; a negligence in administration; the misconduct of the directors; the outrageous behaviour of general courts; and the disobedience of the company's servants in the East Indies. When the business of the company came before parliament some years before, the object, he said, was not how to secure so beneficial a trade, and so great an empire, for a perpetuity, but to make an immediate dividend of 400,000*l.* to the public, and 200,000*l.* to the proprietary. The directors suddenly stopped prosecutions, restored the suspended, and undid every thing that had been done; and yet, by the bill which was then moved for, they were willing to disable themselves from ever withdrawing prosecutions for the future. They had erred likewise in being so eager to secure their annual election: the first half of the year, he said, has been consumed in freeing themselves from the obligations contracted by their last election, and the second half has been wasted in incurring new obligations, and forming an interest among the proprietors; but in spite of all these manœuvres, the direction has been so fluctuating and unsettled, that fresh and contradictory orders have been sent out with every fleet: had they been less fickle and absurd, their concerns would have been much more consistently and uniformly managed. The malversation of their servants may justly be charged upon the fluctuation of their own councils: had they not concurred in restoring suspended and persecuted men, the governor and council would never have deliberated whe-



ther they should obey or not, the orders of the direction. Fundamental principles being thus overturned, the whole system tumbles to the ground.

His lordship stated, that the clear net revenue of Bengal, for 1771, amounted to no more than 171,000 l. whilst the claim of government was 400,000 l. During his presidency, the largest net sum was brought into the treasury. The expences of the military establishment, as it is called, since that period, has gradually encreased, until it rose to the present enormous sum of 1,800,000 l. per annum. The company's servants having found out the way of making fortunes by charging exorbitantly in all contracts for furnishing of troops, with provisions and other necessaries. Hence the revenue falls short, though the sum levied amounts to little less than four millions. The temptations to amass wealth, by indirect means, he said, were so great, that flesh and blood could not withstand them. He concluded with observing, that Bengal was the brightest jewel in the British crown.

Governor Johnstone replied to Lord Clive's defence, in which he very ably arraigned his lordship's conduct, exposed the flimsiness and futility of the arguments brought in defence of it. He stated, that the highest duties that ever were collected on salt in Bengal, were 72,000 l. a year; the general medium was 40,000 l. The whole had been farmed for 32,000 l. a year. The company, he insinuated, lost 300,000 l. in the progress of the frauds, as he called them, in the coinage. He did not mean, he said, to impeach his lordship's veracity, but he always understood, that the president had a certain per centage on all coinage; no doubt, as his lordship had said it, he made no profit of the great opportunity that occurred, but that  
he

he left that likewise to his friends; yet he could hardly admit, after such recent instances of his abilities, that he was so entirely ignorant of the mixture of metals, as his modesty would incline the house to believe. Do not all men know, continued he, that the purity of coin is a principal consideration in government, and that it is of the most dangerous consequence to tamper with it by any fraudulent mixtures? He asked, if his lordship could deny, that the money was coined with thirty per cent. alloy? He objected to the bill before the house, and said, the British legislature should not move in the affairs of Asia, unless it acted with dignity and effect.

The bill was read a second time, and then laid by. The season was too far advanced for a business of that magnitude, and so complicated in its nature, to be properly discussed. A sensible and well-informed writer, says, it seems pretty evident, that administration had no serious intention of entering deeply into that matter for the present; and that the subsequent movements during the remainder of the session, were only intended to keep it alive, and to make, or find, some openings for that great revolution which it has since established in the affairs of the company. It was perhaps farther necessary, that this business should be so far entered into, as that the company should continue entangled in the hands of the parliament during the recess\*. However this may be, it is more than probable, that no part of this plan was understood by the gentlemen who were the immediate actors in bringing the affairs of the company under consideration, and that they were actuated by very different motives.

\* Annual Register for 1772.

So much light had been thrown on the transactions in India, and the conduct of the East India Company's servants there, that the expediency of setting on foot a strict enquiry into the abuses of power which had been long practised with impunity, was very evident, as well as, that some salutary and effectual regulations should be adopted for the future prevention of those evils. Many were led to infer, from the facts which had come out, how unequal a company of merchants were to the superintendence of such vast concerns of a civil nature, in which the lives and fortunes of millions of people were involved; and that the government of such opulent and extensive dominions, should be subordinate to the superintendence and control of the state.

At length \*, a select committee, consisting of thirty-one members †, was chosen by ballot, to enquire into the nature and state of the East India Company, and the affairs in the East Indies. The objects of their enquiries were so various and extensive, that before the rising of parliament, they applied for leave to sit during the recess.

Whilst Mr. Sullivan's bill was before the house, a motion was made by Sir Harry Haughton §, for leave to bring in a bill for

\* April 13.

† The following gentlemen composed this committee: Col. Burgoyne, Chairman; Sir William Meredith, Sir George Savile, Lord George Germain, Mr. Rose Fuller, Mr. F. Vane, Col. Barré, Mr. Solicitor General, Lord Howe, Mr. R. Sutton, Mr. Attorney General, Mr. Thomas Pitt, Mr. Welbore Ellis, Sir Gilbert Elliot, Mr. George Rice, Mr. Pulteney, Mr. C. J. Fox, Mr. Cornwall, Lord Folkestone, Gen. Conway, Mr. Hotham, Mr. H. Ongley, Mr. G. Johnstone, Mr. Alderman Trecothick, Mr. Edward Bacon, Mr. A. Curzon, Sir John Turner, Capt. Phipps, Mr. Gregory, Lord Clive, Mr. Strachey.

§ April 3.

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the relief of protestant dissenters, with respect to subscription to articles of faith. This attempt to gain an exemption from human impositions in matters of belief, was suggested by the favourable disposition which many members of the house of Commons shewed, in the course of the debates on the clerical petition, to dissenting ministers, who were compellable by law, under heavy penalties, to subscribe to the doctrinal articles of a church to which they did not belong, and from which they could derive no advantages either in promotion or emolument.

By the act of toleration, which was passed immediately after the revolution, the free exercise of religious worship, was allowed to such protestants as dissented from the establishment of the church of England; and their principles were allowed to be taught in private schools, on condition that such ministers and schoolmasters subscribed before a justice of peace to the doctrinal parts of the thirty-nine articles; a non-compliance with which exposed them to heavy pains and penalties, if they officiated either as pastors or tutors. So that in fact, the liberty hereby granted, reached only to such as adhered to the doctrines taught by Calvin, and who were, on that account, called Calvinists, which was almost the universal persuasion at that time; but in the course of almost a century, great changes have taken place in the sentiments of protestants of all denominations; and as the principles of dissenters allow a greater latitude of opinion, and lead them more directly to free enquiries into the doctrines derived from scripture, such changes of sentiment were more likely to spread among them, than in the established church, whose tenets carry with them a prescriptive right to our assent. It is true, the penalties enacted against such dissenters as did not subscribe in the manner enjoined, were not inflicted; but the same candor and moderation which



which suffered them to become obsolete, dictated their total repeal. The bill was carried through the house of Commons by a great majority, but upon a second reading in the house of Lords, it was thrown out by 102 lords, including proxies, to 29.

On the first of May Lord North entered on the business of ways and means, for raising the supplies for the services, which had been voted early in the session, by opening his budget. The grants which had been made were calculated to amount to 5,886,253*l.* and a million and a half 3 per cent. consolidated Bank annuities and South Sea annuities, were paid off at 90*l.* with a douceur of four lottery-tickets, at 12*l.* 10*s.* each for every hundred pound stock subscribed. The land-tax was brought back to 3*s.* in the pound; Exchequer bills were continued to the usual amount; the East India Company's annual payment was brought in aid, and the produce of the sinking-fund was anticipated from the 5th of April, 1772, in the sum of 1,856,723*l.* \*.

His

\* The curious reader may perhaps wish to see a more particular account of the business of finance for the year 1772, it therefore follows.

25,000 Seamen	_____	1,300,000
Building and rebuilding ships, and ordi- nary of the Navy	_____	770,664
Total charge of the Navy	_____	2,070,664
17,547 effective men, including 1522 inva- lids, for guards, and other his Majesty's land-forces in Great Britain, Jersey and Guernsey, and for the forces in all parts of his Majesty's dominions	_____	1,525,378
The extraordinaries of the Army,	_____	274,432
Exchequer Bills paid off	_____	1,799,810
To the British Museum, and for the purchase of Etrus- can, Greek and Roman antiquities, brought from Italy by Sir William Hamilton, K. B. and to enable the Trustees of the British Museum to provide a pro- per repository for their reception	_____	11,250

For

His lordship on this occasion spoke with great exultation of the state of the kingdom, and the happy prospect which presented itself of a long continuance of peace; the proba-

For the more effectually prosecuting discoveries towards the South Pole	£ 4,000
To make good the deficiency of the fund for paying annuities, in respect of five millions borrowed in 1758	42,445
To the Turkey Company	5,000
To reimburse his Majesty certain sums issued in pursuance of addresses from the house of Commons	6,580
To make good the deficiency of grants for the service of the year 1771	39,456
[An excess of 481,003 l. appeared on last year's estimate.]	
To pay off one million and a half 3 per cent. annuities, at 90 l. per 100 l. stock	1,350,000
For the discovery of an easy and practicable method of making sea-water fresh and wholesome	5,000

The remainder of the supplies was allotted to the maintenance of the civil government in the Colonies and Plantations; surveys in North America; the expences of forts and settlements on the coast of Africa; new roads and bridges in Scotland; indemnities to particular persons, and other matters.

The ways and means to answer these grants, were,

Land Tax	1,500,000
Malt Tax	750,000
Balance from the sinking fund to January 5, 1772, after defraying last year's debt	191,608
New Exchequer bills issued	1,800,000
Annual payment from the East India Company	400,000
Produce of the sinking fund for the quarter, ending April 5, 1772	805,398
Profit on a Lottery	150,000
Charged on the sinking fund	1,856,723

A variety of residues and savings from different funds were appropriated to the current service of the year.

[The excess of the provisions was estimated at 536,339 l.]

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bility of that happy event, he said, was greater than he had known it in his time; and should it continue for ten years, the expectation of which was no ways chimerical, seventeen millions of the national debt might be discharged, by pursuing the plan which had then been laid before the house. The diminution of the annual interest payable on the national debt, arising from these regulations in the finances, would raise the income of the sinking fund, so as that, in conjunction with the ordinary taxes upon land, malt, and so forth, to make the yearly revenue amount to seven millions. If, when arrived at that point, the nation should be forced into a war, it is not likely to cost us such enormous sums, as when we stood single against France and Spain, and at the same time protected two sovereigns. If, said his lordship, we embark no farther in expences, than we did in wars preceding the last, our yearly disbursements, would, he had computed, be, at an average, about seven millions; so that we shall be enabled to maintain such a war without any additional taxes. We do not, said he, stand in need of any conquests; our dominions are at least as extensive as we could wish; and their improvement, not their extension, should be our chief aim. This opens to us a prospect at least, of gradually reducing the national debt, a step, which will necessarily raise our credit and consequence in Europe, and terrify our enemies into pacific measures.

With this flattering picture, the house in general were extremely well pleased. In a time of profound peace, the national debt engages no one's attention, but a few speculating politicians, who look farther than the present moment. No stockholder wishes to receive his principal, but upon such terms of advantage, as that he may replace his money in the public funds at several per cent. profit. The terms on which this redemption was made, were lucrative beyond

beyond example; and the minister did not labour to conceal his opinion, that some persons might be more fortunate than others in an early subscription, but no one could set his name for more than 10,000 l. stock.

The house seemed wrapt in the contemplation of the permanent prosperity of the nation, and although nothing more exceptionable than the general doctrine laid down, was ever delivered by a first lord of the treasury, yet the objections started, were confined to the mode of discharging the million and a half. Besides the unnecessary profit which was allowed the stock-holder, the blending indiscriminately two stocks which statedly and invariably preserved a difference of two per cent. in their market price, was censured as highly injudicious\*. It was observed, that it was a maxim with administration to increase our expences according to the increase of our income. The minister was asked, if he would not, in the course of ten years, talk of new establishments, or payment of civil list arrears?

It is worthy of a remark, on what slight foundation the salutary effects of a ten years peace were built. The revenue, during the preceding year, had not increased, but had rather fallen off; the condition of the East India Company, which the house was in possession of only a week or two before this mighty vaunt was made, afforded the strongest reasons for apprehending that they were in no condition to make good their stipulated annual payment in future; and without it, although the land-tax seemed fixed, in perpetuity, at three shillings in the pound during peace, a rate unprecedented in former times, the ordinary revenue would be quite inadequate to the objects proposed.

\* Consolidated Bank annuities, at that time, were at 88 5-8ths, South Sea old annuities at 86 5-8ths.

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But supposing a coincidence of fortunate events to realize the calculations of the minister, and we should not have been forced into a war, until the yearly revenue amounted to seven millions; with what shadow of reason could even such an income be supposed equal to the expences which would then be incurred? At the commencement of the war which King William waged with Louis XIV. the charges were defrayed by supplies raised and paid within the year; all the loans were supposed to be temporary, and to end with the collection. Too soon however, the pernicious mode of borrowing on the credit of the supplies was introduced, which created opposite interests between the governors and the governed, and a debt of thirteen millions was incurred during that reign. In the next, the national debt was increased twenty-six millions more, in consequence of a war which continued twelve years. Notwithstanding almost universal peace prevailed for the twenty-seven years which followed the treaty of Utrecht, yet the national debt had, in that space of time, increased six millions; and during three years war with Spain singly, and five years war with Spain and France united, thirty-two millions were added to the national incumbrance. So that the wars waged by King William and Queen Anne, may be said to have been maintained at the expence of about two millions per annum, and the first war in the reign of George II, at four millions per annum; and according to the progressive increase of expences in every department, since committees of enquiry and accounts have been overruled, similar exertions could not be renewed at a less charge to the nation than five millions per annum; how then would a revenue of seven millions be adequate to the carrying on a war, when more than four millions is swallowed up every year in a peace establishment?

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The session of parliament was closed on the 9th of June, by a speech from the throne.

The dispute concerning the Middlesex election had now subsided, except that Sir Geo. Savile every session, made, what he called his annual protest against the decision of the house on that business, which passed without much debate; however, it was now revived, by being investigated in a new mode.

A cause was tried before Lord Mansfield at Westminster-hall \*, upon an action brought by Mr. Alderman Townsend against the collector of the land-tax, for distraining a large quantity of hay, belonging to Mr. Townsend, upon his refusing to pay the assessment of the land-tax, he not being fully represented in parliament, and consequently he considered the tax as an illegal imposition. After the matter of Mr. Wilkes's different expulsions, rejections, and final incapacitation had been stated to the jury by Mr. Serjeant Glynn, and the house of Commons seating Mr. Luttrell, although he had the fewest votes, the Serjeant told them, if they coincided in opinion with him, that the county of Middlesex was not fully and fairly represented, they would find for the plaintiff; but if they thought the present house of Commons had authority to impose such a tax, then the defendant was justified. He then produced the evidence of the poll books, the sheriffs return, &c. to prove that Mr. Wilkes was the legal representative for the county of Middlesex. The attorney-general who was retained for the defendant, did not appear. Mr. Wallace, who was also retained, made no other reply than by producing the act of parliament, under the authority of which

\* June 9.

the collector had acted. Lord Mansfield then told the jury, that the question before them was, in fact, no other than, whether there was at that time any legislative power in this country? If they acknowledged there was, then they must find for the defendant; and that as to the evidence offered to be produced by the Serjeant, it was his opinion, that it was not by law competent, and was inadmissible. The jury, with little or no hesitation, found for the defendant. Mr. Townsend, who was present in court, then declared that the affair should there end.

On the 14th of August, Lord Hillsborough resigned his post of secretary of state for the American Colonies, as well as that of first lord of trade, and was succeeded in both by the Earl of Dartmouth. Soon after his retiring from these offices, he was advanced to the rank of an Earl of Great-Britain. Lord Dartmouth, in parliament, had voted for the repeal of the stamp-act, and since that event, had always opposed the taxation of America. From the advancement of this nobleman therefore, it was concluded, that a new system of government would take place with respect to the Colonies. The Earl of Harcourt succeeded Lord Townshend in the lieutenancy of Ireland, when the latter was appointed master-general of the Ordnance; on the death of the Earl of Albemarle, General Conway obtained the government of the isle of Jersey, whom Sir Jeffery Amherst succeeded as lieutenant-general of the ordnance, and was afterwards called to the privy council. Lord Stormont was appointed ambassador extraordinary at the court of Versailles, in the room of the Earl of Harcourt. Mr. Jenkinson was appointed vice-treasurer of Ireland, and Mr. Charles Fox a lord of the treasury in his room.

The

The nation had now enjoyed a nine year's peace; and that active spirit so prevalent in this country, and characteristic of the people, discovered itself in great and laudable undertakings, which tended to facilitate inland traffic, and to open a ready communication between great trading towns, by means of navigable canals. The commerce with America indeed languished, in consequence of the disagreements which had broke out between this country and those colonies; the beneficial commerce with Portugal was on the decline; the Levant trade too, once so profitable on account of the demand which it caused for our manufactures, as well as for the productions of our West India Islands, and on account of the balance which accrued from it, was no longer important. The southern parts of France had for many years availed themselves of the advantages which their situation afforded, and underfold us in all the Turkish ports. But the loss of this trade was now compensated by the great increase of the commerce with Russia, in consequence of the advances made in civilization throughout that extensive empire; and the endeavours used by the present empress, to introduce among the higher orders of the state, the arts and manners of the more polished kingdoms of Europe. Notwithstanding which, our foreign trade, taken in the aggregate, was much on the decline; and the balance was against us in many parts of Europe, owing to the great increase of luxury throughout the kingdom. In proof of which, although our gold coin was reduced to a disgraceful state of deficiency, yet considerable quantities were clandestinely exported, particularly by the Jews.

Asia was the quarter of the world from whence the nation enjoyed an influx of riches. Numbers of those who had acquired fortunes in India, returned every year to their native



tive country; these, in general, being eager to purchase estates, the value of land rose to a height which it had never before reached; the public and private banks were full of cash; insomuch, that it has been said to have been in the contemplation of government, to reduce the legal rate of interest from five to four per cent. for, notwithstanding these appearances of wealth in the nation, the public funds were considerably lower than they had been soon after the peace took place!

This state of the kingdom was very favourable to the enterprising and industrious manufacturer and merchant, as it facilitated the procurement of money on personal security; but at the same time, it encouraged a very destructive mode of raising money, by drawing and negotiating bills of exchange, and issuing notes of hand, for which no valuable consideration was given in the first instance; and the ease with which an imaginary capital was thus raised and maintained, occasioned the abuse to be carried to such an excess, as in the end threatened the destruction of all confidence between man and man. People of no fortune, or even such as were actually insolvent, without having incurred the suspicion of it, were hereby enabled to keep up an appearance of opulence for a time, and to pursue desperate schemes under the vain expectation of speedily becoming rich. Dissipation and extravagance were at once the causes of such practices, and the effects produced by them. The mass of unthinking men grew unmindful of their expences, because they were enabled to raise present money to defray them; whilst others, were driven to such expedients when their profusion had wasted their fortunes. Another practice which was equally prevalent at the time now spoken of, was, hazarding desperate stakes on the fluctuations of the public funds. It is true, the mischievous practice of  
stock-

stock-jobbing has prevailed almost ever since the creation of a national debt; but the great fluctuation in the price of India stock about this time, afforded greater scope than usual to the insatiate gamester. An adventurer, whose conduct was neither under the restraints of prudence nor principle; and who had risen in a few years from the condition of a servant, to be a partner, and chief manager, in a very respectable banking-house, having for some time speculated with success in the alley, and realized a fortune, became intoxicated with his elevation; he rivalled peers, and even East-India nabobs, in his profuse mode of living; and, confiding in the supposed superiority of his penetration, made contracts for the delivery of India stock to an immense amount, at a short future day, fully assured of its falling considerably in the intervening time. In this expectation he was however deceived; and the stock rose to a great height, whereby himself and his partners were involved in one sudden ruin. Commercial credit was greatly affected by this failure, especially as it was immediately followed by other eminent bankers, and many considerable merchants became bankrupt. The concussion was dreadful: all the airy bubbles of unsubstantial consequence in the trading world, now burst at once. In this state of general distrust and alarm, the bank of England refused to discount all bills; and many men of the most unquestionable property, who had embarked in large concerns, felt all the embarrassments of poverty, being unable to raise immediate money on any kind of security. Many wealthy families were totally ruined by the failure of others. The opulent tradesman was no longer considered as an object of envy by the country gentleman, who now beheld him as deriving all his consequence from precarious and delusive dependencies; whilst the landholder, although perhaps obliged to live in a manner circumscribed, held his fortune by too perma-

too permanent a tenure to be endangered by the indiscretions of others. This violent shock, however, in its consequences, served to place commercial intercourse, on a more solid and beneficial basis, by inculcating wholesome caution and prudent reserve.

### C H A P. III.

*Meeting of parliament—Embarrassments of the East-India Company—Plan for sending out supervisors—Secret committee chosen by the house of Commons, to enquire into the state of the Company—Report made by the chairman—Discussion of the rights which the Company possessed by virtue of their charter—Bill to restrain the Company from sending out supervisors—Petition of the proprietors of India stock to the house—Revenue drawn from the Company by government—Abuses in Bengal—Conduct of administration towards the Company arraigned—Proceedings of the house of Lords—Protest—Enquiry into the expedition against the Caribbs—Condition of the island of St. Vincent at the peace—Augmentation of the half-pay of captains in the navy—The East-India Company apply to parliament for a loan—Regulations proposed by Lord North—Reports from the select committee—The Company permitted to export their teas duty free—Remonstrance—Address from the Company to parliament—Bill for regulating the Company's affairs, as well in India as in Europe—Charges exhibited against Lord Clive—Reasons which probably operated to defeat the enquiry—Protest of the Lords against the bill for regulating the East-India*

*India Company—The loan refused on the conditions prescribed—The Company compelled to accept it—Vast influence acquired by government—State of finance for the year 1773.*

**W**HILST the commercial part of the nation was shaken by these unexpected events, the parliament was called to meet early in the winter, in consequence of the no less alarming state of the East-India company.

November 26, 1772, his majesty opened the sessions of parliament by a speech from the throne. In which he told them, that he had called them thus early together that they might have an opportunity of being fully informed of the true state of the East-India company's affairs; and that they might make such provisions for the common benefit and security of all the various interests concerned, as they shall find best adapted to the exigencies of the case.

The flattering prospects which the company's servants in Bengal had held out, of the immense wealth which would be derived to the proprietary from the territorial acquisitions there, had proved no other than vain delusions. The company had accepted bills from India to the amount of more than a million sterling, which was four times the amount which they had allowed the council to draw for; and in consequence of the failure of returns from thence, was indebted to the Bank for money borrowed, to the revenue of the customs for duties on goods; and had not a sufficient sum in their treasury to make good their quarterly payment of 100,000 l. to government.

The manner in which the company had been set at nought by its servants in India, whilst the most positive orders of the direction were either evaded, or utterly disre-



garded, had led it to send out supervisors in the year 1769; these gentlemen were invested with very extensive powers, by the exercise of which, it was hoped, that a general reform would have been brought about, and a radical cure of these growing evils effected. But the ship in which they were embarked, was never heard of after she sailed from the Cape of Good Hope, so that the mal-administration in Hindostan continued without restraint or control. The bill which Mr. Sullivan brought in during the last session of parliament, but which the house rejected, aimed at new modelling entirely the government of Bengal. During the summer, the company had resolved on sending out supervisors to India, and six gentlemen were nominated to that important trust\*.

When the address, in answer to the king's speech was moved for in the house of Commons, by the Hon. Mr. Fitzpatrick, he expatiated on the enormous abuses practised in India, and represented the Company as being in a ruinous and desperate condition. Lord North drew a different picture. He said, that from every thing he could learn respecting the state of the Company, their embarrassments, though grievous for the present, were not of such a nature as to weaken their stability; that their vast stock of teas, and the merchandize imported from their different settlements, all which were safely deposited at home; besides their property in India, and what were floating on the seas, proved that their present embarrassments were only temporary, and ought not to affect the credit of the company. He then made a motion that a committee of secrecy, consisting of thirteen persons, should be chosen by ballot;

\* General Monckton, George Cumming, William Devaynes, Peter Lascelles, Daniel Wier, and Edward Wheeler, Esqs.

which

which after considerable opposition, was adopted by the house\*. This committee was furnished with full powers, and it was laid down to them, as an instruction, to take into particular consideration, the measure of sending out a commission of supervision to any part of our territories in the East-Indies. The select committee which had been chosen the last session was then revived, more perhaps from a respect to the members who composed it, than from any views which the minister had of accomplishing his purposes by its means.

The chairman of the secret committee reported to the house, on the seventh of December, that the East-India company, notwithstanding their acknowledged distresses for want of money, were preparing to send out a commission of supervisors to India, the expence attending which was calculated at 120,000*l.* per annum, which would still add to their distress; and recommended that a bill should be brought in, to restrain them for a limited time, from sending out supervisors; and a bill was brought in accordingly.

All the powers of eloquence, and force of reasoning, were called forth in the discussion of this momentous point. The attorney and solicitor-general contended that the charter of the company did not empower it to appoint supervisors. The malversations which had been so long practised with impunity in the East, were represented as too enormous for any effort of the court of directors to

\* The gentlemen chosen were Mr. Alderman Harley, chairman, (whose great uncle, the first Earl of Oxford, was an arbitrator chosen to adjust the interests of the two East-India companies, when they were united in 1701) Lord Frederick Campbell, Lord Palmerstone, Mr. Rigby, Mr. Stanley, Mr. Jenkinson, Mr. Jackson, Mr. Fitzpatrick, Mr. Burrell, Mr. Ryder, Mr. Walpole, Mr. Eames, and Mr. Gilbert.

correct; and that the powers which government possessed, were alone capable of restoring the inhabitants of Hindostan to the secure enjoyment of liberty and property, curbing rapacity and violence, and directing the revenues of that extensive country into their proper channels. The subject naturally led to an enquiry, whether a company of merchants, acting under a charter, have a right to conquer and hold to themselves dominions, and establish civil regulations there, independent of the state to which they belong.

In the progress of this restraining bill through the house, Mr. Sullivan delivered a petition from the East-India company against it\*; in which, with all deference to the wisdom and supreme authority of parliament, they represent the bill as subversive of those rights which they hold under their charter; the privileges of which have been purchased by their predecessors from the public for a valuable consideration, confirmed by several acts of parliament; the provisions of which the petitioners are not in any degree conscious of having violated.

It then complained, that the report of the secret committee, upon which the bill was to proceed, was erroneous with respect to the calculation of the expences; and if their affairs had been examined in a public manner, the petitioners might have had an opportunity of attending to their several interests; the report which would then have been made, would have been very different from that which has appeared. It then stated, that the expences of the commission was designed to have been defrayed from a part of the savings proposed to be made thereby, so that the creditors of the Company could not have been injured in any degree, but must have been on the contrary greatly benefited. It suggested

\* It was signed by no more than fourteen proprietors of stock.

the dangerous consequences to the Company arising from such a bill, which would prevent them from taking the necessary steps for the arrangement of their affairs, and thereby may deprive them of the means of fulfilling their engagements to the public; and concluded with claiming, with all humility, the benefit of the law of the land, and the public faith of the nation, for the free enjoyment and exercise of the rights and powers which they held under their charter; and prayed, that they may be heard by themselves, or their counsel, against the bill.

Counsel being hereupon admitted, it was given in evidence at the bar of the house, that government had received by the nett duties, and the stipulated 400,000 l. little less than two millions annually from the Company; which at the same time had lost a million by the indemnity agreement upon tea, of which 700,000 l. went to government, and the remainder to the purchasers. The whole of the Company's receipts of dividends during the five last years, scarcely amounted to 900,000 l. more than 6 per cent. upon its capital, which was the lowest trading dividend that had ever been made during the most expensive and dangerous war. It appeared upon the whole, that the Company's mercantile profits during the above period, amounted, on an average, to 464,000 l. annually, which would have afforded a dividend of 12 and a half per cent. so that while government profited to the great amount of two millions, the proprietary, instead of reaping any benefit, lost considerably of the dividend, which the profit of their trade only, independent of the territorial revenues, would have afforded.

These facts were much insisted on by the counsel who were heard on the third reading\*. The abuses in India,

\* December 12<sup>th</sup>

particularly



particularly at Bengal, were represented with equal precision. In the military establishment there, the annual expence of thirty-thousand soldiers, not four thousand of whom were Europeans, amounted to above a million. At Fort St. George, where an army of twenty-three thousand men was maintained, of which four thousand four hundred were Europeans, the annual expence was near 300,000 l. By putting the Bengal army on a similar footing with that at Fort St. George, the expence ought to be very little more than 400,000 l. If this reform could by any means be brought about, the saving to the Company would exceed half a million annually.

The same gradation of profusion was observed in the civil establishment. At Bengal, one hundred and seventy-one civil servants, annually cost the Company 300,000 l. and at Fort St. George one hundred and fourteen civil servants cost only 50,000 l. These were said to be proper objects of regulation; and it was evident great savings, and such as prodigiously exceeded the expences of supervisors, might be made.

Besides the regulations necessary to be introduced into the civil and military establishments, other economical plans might be adopted. Great abuses had been committed in making additional fortifications and building barracks. The whole expence of forts since 1765, the time when the select committee at Bengal was first instituted, amounted to more than 1,200,000 l. The natives were likewise grievously oppressed, not only by heavy duties on all the necessaries of life, but by a tax called Matoot, which was levied under pretext of repairing bridges, roads, &c. the produce of which was divided among the committee \*.

\* Mr. Sykes, who was then in the house, was charged with having received several thousands per annum from this tax, which was levied for five years without the knowledge of the directors at home.

Until

Until the select committee of Lord Clive had the direction of affairs, the civil and military expences of the Company at Bengal had never exceeded 700,000 l. The next year, 1766, they came up to 900,000 l. and so on, gradually, till at length, in 1771, they amounted to 1,800,000 l. sterling. This detail clearly demonstrated, that a commission of able and upright men, vested with just power and authority, might save the Company sums, against which the expence of the supervisors would weigh but light in the scale. The counsel contended, that the Company claimed a right of managing their own concerns by the powers vested in them by their charter, and likewise in return for signal services which they had rendered to the nation.

Thus the evidence given in at the bar, and the pleading of counsel, served to establish facts which were not before doubted, namely, the great delinquency of the Company's servants; but they did not tend to confirm the belief, that the Company was competent to the redress of these abuses, especially as the select committee at Calcutta, from whence these enormities had sprung, was formed for the purpose of correcting such evils.

The important question was, whether the present exigency and imbecillity of the Company, were such as warranted the interposition of parliament. Lord George Germain acknowledged the bill to be a great stretch of parliamentary authority, and not to be justifiable but by the most cogent necessity, which precedes all other law; but he saw, in that instance, the necessity pressing upon the house to interfere, in the clearest manner.

Lord John Cavendish was of a different opinion. He said, when extraordinary remedies become the ordinary engines

gines of government, you may be assured you have a weak ministry. Men of superior, and even of common abilities, foresee, and endeavour to prevent great evils; and if, in the fluctuation of human events, such evils should nevertheless arise, they know how to remove them, without offering violence to the general system; to those sacred institutions, which are to human society, what gravitation is to the constitution of the universe.

On this occasion Mr. Burke displayed all those rare qualities of the head and heart, with which he is so eminently gifted. He observed, that in 1767 parliament took the state of the East-India Company's trade and revenue into consideration, for the doing which five reasons were assigned.—The maintenance of the public faith—The support of public credit—The increase of the Company's trade—The increase of its revenues—and the security of the stockholders. This grand and salutary plan was entered upon. Books upon books, and papers upon papers, were brought up, and piled upon the table. The subject was considered and reconsidered; debate succeeded debate, and resolution followed resolution. One and forty times did the house sit on this business, and more than once till four o'clock in the morning. What was the result? *Quid ferat hic tantum dignum promissor hiatus?* What did this mountain in labour bring forth? No mouse truly, but a fair round sum of 400,000 l. a year to government. In this manner did parliament provide for the maintenance of the public faith, and the support of public credit! In this manner did parliament increase the Company's trade and revenue, and give security to the stockholders! When the Company came down handsomely, and furnished a reasonable sum to pay off the arrears of the civil list, arrears so honourably and usefully contracted, the five reasons were forgot. The eyes of parliament

liament were dazzled, and could no longer see how to make any regulations for securing the permanence and stability of that lucrative bargain which it had made. The Company, without the aid of precedent, without the light of experience, without chart or compass, was allowed to steer at random through this perilous ocean. What wonder that they lost their course! The wonder would have been, if assisted by no lights, but by those communicated by servants, interested through the fear of past embezzlement, and the hope of future speculation, to mislead, they had not been bewildered and lost. The distress of the Company arises from the improvidence of administration, and the short-sightedness of parliament, in not forming for it a system of government suitable to its form and constitution. He added, Or am I mistaken? Were the affairs of the Company designedly left in confusion? Were the directors left without any effectual control over delinquent servants? Was the collection of the revenues left without any check? Was the tyranny of a double government, like our double cabinet, tolerated, with a view of seeing the concerns of the Company become an absolute chaos of disorder, and of giving government a handle for seizing the territorial revenue? I know that this was the original scheme of administration, and I violently suspect that it never has been relinquished. If the ministry have no sinister view, if they do not mean by this unconstitutional step to extend the influence of the crown, they will now speak out, and explicitly declare their intentions. Their silence may be justly construed into a confession of such a design, and they will thenceforth be considered as the determined enemies of the liberty of their country. God knows, that the places and pensions, and expectancies furnished by the British establishment, are too powerful for the small remains of patriotism and public spirit that remain in our island. What then will become of

us,



us, if Bengal, if the Ganges, pour in a new tide of corruption? Should the evil genius of British liberty so ordain it, I fear this house will be so far from removing the corruption of the East, that it will be corrupted by it. I dread more from the infection of that place, than I hope from the virtue of this house. Was it not the sudden plunder of the East that gave the final blow to the freedom of Rome? What reason have we to expect a better fate? I conjure you by every thing which man ought to hold sacred; I conjure you by the spirits of your forefathers, who so nobly fought and bled for the cause for which I now plead; I conjure you by what includes every thing, by your country, not to yield to the temptations which the East in the hands of the crown holds out, not to sink into the gulph of corruption, and to drag after you your posterity, your country. I obtest heaven and earth, that in all places, and at all times, I have hitherto shewed by the gilded hand of corruption, and endeavoured to stem the torrent which threatens to overwhelm this land. Upon the whole, the bill is dangerous in itself, as being the first step towards a total invasion of the Company's territories in Bengal; and, should we admit the motives which lead to it to be good, yet such a step is dangerous as a precedent. I do not, however, deny that the house has power to pass it, but you have not the right. There is a perpetual confusion in gentlemen's ideas from inattention to this material distinction; from which, properly considered, it will appear, that this bill is contrary to the eternal laws of right and wrong, laws that ought to bind all men, and above all men, legislative assemblies!

Upon a division the bill passed one hundred and fifty-three to twenty-eight.

In the house of Lords it met with a faint opposition, but was productive of a protest, in which, among many other reasons assigned, it was opposed, because it appears that the company were not only authorised by law, but bound in duty, to appoint a commission for regulating their affairs and correcting abuses. It might have been alledged against the company, that non-user and neglect of applying legal powers, for the ends for which such powers were given, were matters of delinquency in that corporation, and might have subjected them to process in the courts below, or to an adverse proceeding in parliament. It is a government, the protesters conceive, full of deceit as well as violence, where men are to be punished if they decline, or to be restrained if they endeavour to exercise their lawful powers.

The bill passed by twenty-six to six. No sooner was this business despatched, than the two houses adjourned for the Christmas recess.

When the parliament was re-assembled, the Hon. Mr. Thomas Townshend moved \* for an enquiry into an expedition which had been made against the Carribbean Indians, dwelling on the Island of St. Vincent, in the West Indies.

This Island, together with those of St. Lucia and Dominica, had been formerly considered, both by us and the French, as neutral, and the natives as lawful possessors of the soil. When St. Vincent's became subject to Great-Britain, at the peace of Fontainbleau, the French planters had settled in the northern, or leeward parts, whilst the native Carribbeans occupied the windward, or southern, districts.

\* January 25, 1773.

When

When orders were issued from the treasury, for the sale of lands in the ceded islands, the French possessors on this spot, were required to pay certain stipulated sums for the lands which they occupied, the right by which they held them being considered as invalid; but orders were given, that the Caribbs should not be disturbed in their possessions, whilst they observed a quiet and inoffensive demeanour. Among these Caribbs, were about a thousand fighting men. The new settlers who arrived from England, soon beheld with a jealous eye, the fertile plains which were occupied by these people. They proposed an exchange of lands, by which these Indians would possess a part of the island equally convenient for their occupations of hunting and fishing, but being overrun with wood unfavourable for cultivation. This proposed exchange was approved by government at home, but rejected with great spirit by the Caribbs, who insisted on their right of retaining the lands which they possessed, in the same independent manner in which they had hitherto held them, declaring that they acknowledged no more subjection to the King of Great-Britain, than they had formerly done to the monarch of France. This firm maintenance of their natural rights was represented, by the rapacious planters, as a dangerous extirpating spirit, which exposed the new Colony to continual dangers of being overwhelmed, and it was submitted to government, whether it was not expedient to transport these unhappy people either to the coast of Africa, or to the desert Island of St. Matthew. The latter scheme was at length complied with, on condition that they could not be brought to submit to the English government, and instructions were sent by Lord Hillsborough to provide them with every necessary accommodation, and shew them the most humane treatment, both in their conveyance to, and establishment in their new settlement. But as the Caribbs were highly

irritated at being thus dispossessed of their native possessions, and as there was no force on the island sufficient to execute the orders, in April 1772, General Gage was directed to send two regiments from North America to St. Vincent's, and a force nearly equal thereto was collected from the other islands. The arrival of these troops, together with some men of war which were designed to co-operate in the attack, no ways intimidated the Caribbs, who defended themselves with their bows and arrows, and other missile weapons, in the use of which they were very expert. The rainy season, which was then set in, and the want of proper huts to shelter the troops, caused great sickness among them; the accounts of which that were transmitted to England, joined to the supposed injustice of the war which was waging, gave birth to the enquiry, which however was deferred from time to time, in expectation of some official advices being received. It was not, until the 12th of February, that witnesses were examined at the bar; some of whom represented the Caribbs as a quiet, friendly, and fair-dealing race of men, who had been driven to acts of hostility by the injustice and avarice of the new settlers from England; whilst others described them as perfidious and cruel, with violent passions, and indulging a lawless freedom in the gratification of them, and from their attachment to the French as dangerous neighbours, especially in a new settlement. The evidence being gone thro', Mr. Townshend made two motions, the first of which was, "that this expedition to St. Vincent was undertaken without sufficient provocation on the part of the Caribbs, upon the representation of interested men, and must, if successful, end in their total extermination." The second, "that the military were sent out in an improper season of the year, and that it was likely to end in the ruin of some of the best troops in the service."

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After



After much debate, the house divided, for the first motion eighty-eight, against it two hundred and six. For the second seventy-eight, against it ninety-nine.

Whilst the subject was thus agitating in parliament, a treaty was entered into between the Caribbs and Major General Dalrymple, who commanded the King's troops : by which, the former agreed to become subjects of the King of Great-Britain, to take an oath of fidelity and allegiance, and to submit to the laws and government of the island, so far as related to their intercourse, and to all transactions with the white inhabitants ; but in their own districts, and in all matters that related to each other, they were to retain their ancient customs and usages. They, by the same instrument, ceded a large tract of valuable land to the crown, in consideration of those parts of the island which they retained, being secured to them and their posterity for ever.

The sale of lands in the ceded islands, was a measure which had drawn on ministry much censure ; the exigencies of the state were urged in its defence, and the large sums which would thereby be brought into the treasury ; but although the lands were sold, the sums received by government were extremely inconsiderable, so that the scheme evidently tended iniquitously to enrich individuals, without benefiting the state ; notwithstanding which flagrant malversation, no enquiry was set on foot, so that it was not the East-India Company alone that was plundered by its servants.

February 9, Lord Howe brought up a petition from the captains of the navy, praying a small addition to their half-pay. Lord North informed the house, that no matter  
which

which was to affect the public revenue, ought to be agitated there, without the consent of the crown, given by some of its officers : he did not however mean to oppose the petition on that ground, and would give his consent to its being brought up, but he meant, for many cogent reasons, to oppose it through every stage.

Notwithstanding the authority which declared against the petition, and that the three most eminent naval commanders, Hawke, Saunders, and Keppel, were prevented from attending on account of indisposition, the house in general, seemed heartily to enter into the interests of the petitioners.

Lord Howe stated to the house, the grounds on which the request of the petitioners was founded, by taking a view of the manner of paying and providing for the captains of the navy, from the time of their first having a permanent existence as a military body, to the establishment by which their pay is now regulated. He described the manner in which they were provided for in times of peace during the reigns of Charles II, James II, King William and Queen Anne ; and shewed, that until the year 1715, when they were put on the footing in which they have ever since continued, they were always highly rewarded, by posts of considerable profit, by particular gratifications, and by a half-pay, double to what they now receive. His lordship therefore moved, that the petition might be referred to a committee, in order to consider the same, and report their opinion to the house.

Lord North acknowledged the merits of the petitioners, and their claims on their country for favour and support ; but lamented that the present situation of our finances would not admit of any additional expences being incurred,

however forcible the plea which might be urged for them. He observed, that by granting the petition, this house would be importuned with many more. The military would next solicit relief, and he was informed, that the shipwrights meant to prefer a petition for an advance of their wages, and it would be impossible for the state to comply with the requests of such numerous bodies.

Sir Gilbert Elliot, treasurer of the navy, entered into an historical detail of the public provisions made for the navy, both in times of non-employment and actual service, from the reign of Henry VIII. when a naval force was first regularly established, to that of King William, and concluded with stating some pertinent facts which occurred in the latter reign. In the year 1692, the pay of a captain in the navy, was 27 s. per diem, with an allowance of twelve servants, at six-pence per day each, which made the whole 33 s. The year after, a different arrangement took place; the pay was raised to 30 s. and the allowance for servants struck off. During both these regulations, the half-pay was 15 s. The year 1699 was remarkable for a variety of æconomical reforms, among which the expences of the naval department were retrenched. The full pay of captains was reduced from 30 s. to 20 s. with which likewise the half-pay list was to conform. Soon after the peace of Utrecht, it underwent another considerable reduction, which brought it to the rate at which it now stands. He did not, however, wish that the house should comply with the present application.

In support of the petition it was alleged, that not more than five or 6000 l. per annum, would be required to gratify the wishes of so respectable a body of men, to whom the nation owed the highest obligations; and it was asked, is  
that

that a sum to affect a great and opulent nation, at the end of a ten years peace; when France, notwithstanding her defeats, distresses, and public insolvency, had the good policy to make a provision for her navy captains? The large sums which in the last session had been voted for *virtù*, and other purposes of much less national concernment, were placed in contrast to the present parsimonious humour.

Upon a division, the petition was received by a majority of nine; the numbers being 154 to 145. Upon which occasion, the first lord of the treasury found himself again in a minority\*. An address was soon after presented to his majesty, that an addition of two shillings a day might be made to the half-pay of navy captains, which brought it to about 110*l.* per annum. When the bill came out of the committee, Lord North not only supported it, but proposed that it should be extended to encreasing the pay of captains in the navy, commanding fifth and sixth rates, in actual service; but this amendment was over-ruled.

Notwithstanding the deplorable state of affairs in the East-Indies, a twelvemonth had passed in which parliament had directed its attention, merely to negative the plans for reformation, which the directors and proprietary had adopted; during which time, a wide scope was given to that spirit of rapacity which universally prevailed in India. The time was however, at length arrived, for the minister to change his ground; whilst such events had turned up, as tended to gratify every wish which the most ambitious statesman could form.

At a general court of proprietors of India stock, held on the twenty-fourth of February, 1773, the question was de-

\* Lord North voted against Mr. Grenville's bill to regulate controverted elections, and for the East-India Company's recruiting bill.



cided by ballot, whether an application should be made to parliament for a loan of a million and a half, or so much as should be wanted, by installments, for four years, at four pounds per cent. per annum, with liberty of repaying the same as soon as the Company may be able, by payments of not less than 300,000 l. it was carried 405 to 199.

In consequence of which resolution, a petition was presented to parliament for that purpose; and it was therein farther proposed, that the Company should not make a dividend of more than six per cent. until one half of the proposed loan was discharged; when they might raise their dividend to eight per cent. and after the whole loan was discharged, that the surplus of the net profits arising in England above the said dividend, should be appropriated to the payment of the Company's bond debt, until it was reduced to a million and a half; and from thence, that the surplus profits should be equally divided between the public and the Company. It was also requested, that the Company should be released from the heavy penal interest incurred by the non-payment of money, owing in consequence of the late acts for the indemnities on teas, and also discharged from the annual payment of 400,000 l. to the public, for the remainder of the five years specified in the agreement.

A committee of the whole house proceeded to take into consideration the affairs of the East-India Company\*. Lord North entered on the business, by disclaiming the idea that the Company in their present exigency, had a claim of right upon the public for relief. He represented the vast sums which had been paid into the Exchequer by

\* March 9, 1773.

the Company, as bearing no proportion to the revenues drawn from the Asiatic territories ; the depredations of their servants in India, neither the minister nor the house of Commons, were any ways necessary to, or answerable for ; but the granting relief to the Company, was a matter of necessary policy and expediency, although in no degree a claim of right or justice. He then entered largely into the state of the Company, and declared it to be a fact, that the directors had proposed a dividend at the very time when the Company was in little better than an insolvent state ; and before the next September, the Company would be deficient 1,300,425l. To extricate this great commercial body from so alarming a situation, various plans had been suggested ; one was, that the Company might be empowered to borrow money upon bond, to the amount of what they wanted ; but he disapproved of that method, as they had already stretched their credit too far in that way. Funding the Company's bills was another expedient named ; but this his lordship said, would not answer the purpose, because it would not bring immediate relief. So that upon the whole, he thought it for the interest of the public, that the relief granted to the Company should come from the public ; at the same time, taking the necessary precautions to prevent the like distresses befalling the Company in future ; he therefore proposed two resolutions to be adopted by the house, by which a loan of 1,400,000l. should be granted, and not more than six per cent. be divided among the proprietors until *the whole* should be repaid. That the Company be allowed to divide no more than seven per cent. until their bond debt be reduced to a million and a half ; and no more than eight per cent. before the participation of profits between the public and the Company shall take place. The latter proposition was rejected. At the same time, his Lordship waved the par-

particular discussion of the question, concerning the Company's claim of exclusive right to its territorial possessions; yet insisted on a prior right in the state, from whence he inferred the justice and legality of interposing its authority in all cases, in the Company's affairs; and supported his assertion by the opinion of very sound lawyers, whom he styled the luminaries of the age, who had declared that such territorial possessions as the subjects of any state shall acquire by conquest, are virtually the property of the state, and not of those individuals who acquire them.

Although the question of right in the Company to receive the revenues from Bengal, was not, at that time, the subject of debate, yet such a sentiment being incidentally delivered, by the premier, drew forth replies; and it was insisted, that when the state makes a solemn and authentic delegation of its authority to a distinct and separate body, it cannot, consistently with justice and public faith, lay claim to possessions which that body may legally acquire. And it was insisted, that the Company's possessions in India were not strictly conquests, but farms, held from the prince, who was their proprietor and rightful owner; and that a question of property of that nature was to be decided in a court of justice, and was not a proper subject of discussion for the house of Commons, where the public, who was a party in the cause, would sit in judgment.

At length, after the subject in general had been much discussed, Lord North informed the house\*, that in answer to the petition of the East-India Company of the 2d of March, the king had left the sole determination of the affair to that House: his lordship then proceeded

\* April 5.

to state the propositions which he had to make to the house. The first of which was, "That it is the opinion of this house, it will be more beneficial to the public, and the East-India Company, to let the territorial acquisitions remain in the possession of the Company for a limited time, not exceeding the terms of six years †, to commence from the agreement between the public and the company."

"That no participation of profits shall take place between the public and the Company, until after the repayment of the 1,400,000 l. advanced to the Company, and the reduction of the Company's bond debt to a million and a half."

"That after the payment of the loan advanced to the Company, and the reduction of their bond debt to the sum specified, three-fourths of the net surplus profits of the Company at home, above the sum of eight per cent. upon their capital stock, shall be paid into the Exchequer, for the use of the public; and the remaining one-fourth shall be set apart, either for farther reducing the Company's bond debt, or for composing a fund for the discharge of any contingent exigencies the Company may labour under."

These conditions, proposed by the minister, differed in many particulars from those offered by the Company: an essential difference was, in the distribution to be made of the surplus profits between the Company and the public, after the reduction of their bond debts, and being able to divide to the proprietary eight per cent. per ann. on their capital. Indeed this was not the first instance, in which parliament interfered to regulate the conduct of the Company; for in the

† Which was the unexpired term of their charter.



year 1736, an act passed, by which the interest on the Company's stock was reduced from 5l. to 4l. per cent. but it was in compliance with a petition from the Company. As the regulations now proposed were only the forerunners of very extraordinary innovations in the government of Bengal, many objections were made to them. Mr. Burke took a comprehensive view of the subject, or, as he himself afterwards called it, "a bird's-eye view." I have studied, said he, God knows, hard have I studied, even to the making dog's ears in the statute books; and I now publicly and solemnly declare, that all you have been doing, and all you are about to do, in behalf of the East India Company, is impolitic, unwise, and entirely repugnant to the letter, as well as the spirit of the laws, the liberties, and the constitution of this country. I will venture to prophesy, that this Company, viper-like, will in the end prove the destruction of the country which fostered it in its bosom. He founded his prediction on the total want of principle so observable among all ranks and degrees of people, caused in a great measure by the profusion, dissipation, and profligacy of those who have brought with them the spoils of the East, to contaminate their native country. The people, he said, were grown so indifferent to the welfare of their country on the one hand, and so grossly corrupt on the other, that there was no proposal how destructive soever to the liberties of the kingdom, which a minister could make, but what the people would readily comply with. In the proceedings relative to the East-India Company, the people followed the cry of the ministry: changed as they changed, and varied their tones to keep even a discordant sameness with their masters. He added, Men have not strength of mind to think for themselves: the higher ranks are all supineness, all indolent acquiescence, all ignorance. The vulgar are a sett that will  
abuse

abuse at random, and are to be led on to commit crimes the most atrocious, if headed by some despicable wretch, who has an interest to promote by raising commotions. He observed, that to broach such sentiments was a conduct ill suited to acquire popularity, nor did his opposition to the ministry arise from a latent view of getting into employment. It was dictated by the full assurance which he had, that the measures then pursuing were such as had the completion of the plan of despotism for their end; that this plan he had hitherto opposed, and would continue so to do with all his powers; and he would sooner have the East-India Company totally overthrown, than have the basis of the English constitution undermined; or a single pillar which contributed to the support of so excellent a structure, receive the slightest shock.—The propositions passed without a division.

The reports of the select committee which had been printed, brought to light such oppressive and tyrannical transactions in the East as excited general indignation, and left the minister at full liberty to prescribe the mode of redressing these grievances.

In the farther consideration of East-India affairs, Lord North moved †, that the house should allow the Company to export such part of the tea at present in their warehouses, as they should think proper, to British America, duty free. He represented such a permission as highly beneficial to the Company, who had seventeen millions of pounds weight of that commodity in their hands\*. Soon after, a second petition from the East-India Company was presented to the

† April 27.

\* It was afterwards proved that this stock was only equal to two year's consumption.

house

house of Commons, complaining that some of the most material articles of the propositions made to the house on the second of March, were substantially rejected. They therein represent it as unreasonable for parliament to require any farther terms, after the loan which they had requested should be repaid. It stated the great losses which the proprietors had sustained, and the expences they had incurred in acquiring and securing the territorial revenues in India, at the risk of their whole capital, while the public have reaped such great advantages. It complained of the limitation made of the Company possessing the territorial acquisitions in India to six years as an arbitrary act, and insisted, that they had an undoubted right to those possessions, against which right no decision exists, nor has any formal claim ever been made. The dictating in what manner the surpluses of their net profits, after dividing eight per cent. shall be applied, they remonstrate against, because such disposal of their property otherwise than by their own consent, by a general description, comprehending their trade as well as revenues, is not warranted even by the largest pretensions that have ever been formed against them. It concludes with praying, that any claims against the possessions of the Company, that can be supposed to give rise to such restrictions, may receive a legal discussion; from which, whatever may be the event, they will at least have the satisfaction of knowing what they may call their own.

The minister finding the house so well disposed to concur in any measures which he should propose, proceeded to lay before it his plan for regulating the affairs of the Company, as well in India as in Europe; he therefore moved, that the court of directors should in future, be elected for  
four

four years; six members annually, but none to hold their seats longer than four years. II. That no person shall vote at the election of the directors, who had not possessed their stock twelve months. III. That the stock of qualification instead of 500l. be 1000l. IV. That the mayor's court at Calcutta should for the future, be confined to small mercantile causes, to which only its jurisdiction extended before the territorial acquisition. V. That in lieu of this court thus taken away, a new one be established, consisting of a chief justice and three puisne judges. VI. That these judges be appointed by the crown. VII. That a superiority be given to the presidency of Bengal, over the other presidencies in India.

In the course of Lord North's speech he hinted, that other regulations would be necessary; among which, he particularly named, that the Company should communicate their advices from Bengal to the Treasury, or Secretaries of State; and that the Company's servants should under heavy penalties, bring all their fortunes home in the Company's ships. He said, an entire reformation could not be looked for immediately, the interests of Bengal might perhaps require the annual care of parliament.

Such important regulations, in which an unprecedented stretch of power was justified by the necessity of the case, met with strong opposition: however, every clause in the bill was carried by a great majority. The East-India Company, the City of London, and those proprietors who possessed votes, by holding 500l. stock, or upwards, but less than a 1000l. presented separate petitions; and counsel were heard in behalf of the Company, and of the 500l. stockholders. The case of the latter was indeed peculiarly hard, as the practice of splitting stock by collu-  
five



five transfers, which the new regulation was established to prevent, was confined to those who held several thousand pounds stock, who would hereby continue to avail themselves as effectually of splitting stock as before. Where they formerly made two votes, they could now indeed make only one, but that single vote was of prodigiously more consequence after twelve hundred voters were disfranchised. This was punishing one body of men for the faults of another, and changing the East-India Company from a democracy into an oligarchy. The act of power, by which this innovation was made, might, upon the same principle of expediency, be exercised to disqualify freeholders, of 40 s. a year, from voting for members of parliament, and fixing the qualification at 10 l. per annum. The great decrease in the value of money, since the time when a freehold of 40 s. a year was made a qualification for giving a vote for a member of parliament, has rendered such a possession very inconsiderable; but India stock has sometimes more than doubled its original value, which gives a much greater degree of consequence to the holders of it, than when the regulation was made in the year 1702.

Whilst this arduous business was thus advancing towards a completion, the house took into consideration the several reports from the select committee, and the committee of secrecy \*. Each of these committees had strictly enquired into the conduct of the proprietors servants in India, from the commencement of the war with Surajah Dowlah in 1756, which had brought to light transactions of the blackest dye. General Burgoyne, as chairman of the select committee, declared, that he looked upon the de-

\* May 10.

posing of Surajah Dowlah, and bringing about a revolution in favour of Meer Jaffier; the signing a fictitious treaty with Ormichund, a black merchant, and confidant of Surajah Dowlah, together with the terms obtained from the new nabob, to be the origin of all those troubles which have operated to the temporary distress, if not the total destruction of the Company. The general then proposed the following resolutions, and said, that if they met with the approbation of the house, he had another motion to make. I. That all acquisitions made under the influence of a military force, or by treaty with foreign powers, do of right belong to the state. II. That to appropriate acquisitions so made, to the private emolument of persons entrusted with any civil or military power of the state, is illegal. III. That very great sums of money, and other valuable property, have been acquired in Bengal, from princes and others of the country, by persons entrusted with the military and civil powers of the state, by means of such powers, which have been appropriated to the private use of such persons.

The two great law officers maintained different sentiments on this subject. The solicitor-general used a variety of arguments against the resolutions, whilst the attorney-general supported them. A general dissatisfaction prevailed. So long as the Company were enriched by their settlements, the austerity of justice was relaxed; but when the plunderers extended their depredations beyond the property of Asiatic princes, and embezzled the revenues of their masters, their crimes appeared in all their enormous magnitude, and called aloud for exemplary punishment. The three resolutions were carried almost unanimously.

However,

However, this zeal to punish abuses of power soon after subsided: for, when General Burgoyne, some few days after, resumed the subject, and spoke of the deposition of Surajah Dowlah, and the various monopolies introduced, and stated the immense sums which the Company's servants had received under the denomination of presents, or had extorted by taxations; of the impoverished state of the Indian princes, at the time when they made these profuse presents; and moved the house to resolve, that the right hon. Robert, Lord Clive, Baron Plassey in the kingdom of Ireland, in consequence of the powers vested in him in India, had illegally acquired the sum of 234,000 l. to the dishonour and detriment of the state; many leading members opposed the motion on a variety of grounds.

A charge so directly brought, occasioned Lord Clive to enter very fully into his own defence. With much address he pleaded the thanks which he had received from the Directors, when he returned home, after his splendid victories, as an approbation of his conduct in fabricating the fictitious treaty which deceived Omichund, and which, he said, he would again have recourse to, was he placed in similar circumstances; whereas, in fact, the proprietary knew nothing of that transaction at the time when their thanks were voted. His lordship shewed the critical necessity which prevailed in certain situations, where the English power and fortune in Asia, depended solely upon rapid, well-timed, and extraordinary measures.

Notwithstanding this grand delinquent was clearly proved to have acted fraudulently and rapaciously, in some instances, yet he could be considered in no other light than as the deliverer of the East-India Company: his bravery, his address, his talents, so admirably suited to the occasion;

occasion; his generosity and disinterestedness in most instances, together with the undisturbed possession in which he had so long enjoyed his vast fortune, all pleaded strongly in his behalf.

Perhaps other considerations operated to quash this inquiry. Much wealth would indeed have been acquired to the state by the forfeitures incurred, in consequence of a parliamentary process; but such a rigid scrutiny, although it would have produced a present advantage, would have been attended with many consequences, which the wisdom of the present times is peculiarly solicitous to prevent. The fortunes which are to be acquired in India, by adhering invariably to the line of conduct which strict integrity chalks out, are, perhaps, in general, very inadequate to the views of those who migrate to those distant regions; whilst a lust of power, and a passion for amassing immense wealth to gratify the calls of ambition, are leading features in the character of the age. Riches have long been considered as a substitute for virtue; and it would have been highly unprofitable, to have left the managers of the English East-India Company's concerns in the kingdom of Hindostan, and the peninsula of India, no other alternative, than to have returned home with the moderate acquisitions, honourably made, in a long course of service; or, if grown wealthy by oppressions, to have clandestinely transported themselves and their plunder to a foreign, and most probably, a rival country.

Evidence was heard at the bar of the house to support the charges brought against Lord Clive; his lordship's evidence was likewise read, after which he made a short speech, and concluded with these words, "Take my fortune, but save my honour;" whereupon he immediately retired.



General Burgoyne then made the following motion; That it appears to this house, that Robert, Lord Clive, Baron Plassey in the kingdom of Ireland, about the time of deposing Surajah Dowlah, nabob of Bengal, and the establishment of Meer Jaffier on the musnud, did, through the influence of the powers with which he was entrusted, as member of the select committee, and commander in chief of the British forces, obtain and possess himself of 2 lacks and 800,000 rupees, as member of the select committee; a farther sum of 2 lacks of rupees, as commander in chief; a farther sum of 16 lacks of rupees, or more, under the denomination of private donations; which sums, amounting together to 20 lacks and 800,000 rupees, were of the value, in English money, of 234,000 l. and, in so doing, he abused the powers with which he was entrusted, to the evil example of the servants of the public. Mr. Hans Stanley moved, that the question be divided, and the latter part of the motion, which conveyed the censure, be left out, which, after warm debates, was agreed to: whereby the house, by merely establishing the fact, seemed, by implication, plainly to give it sanction. It would have been more for the credit of the nation to have rejected the motion entirely, than thus to have drawn the sting of it.

A motion was then made by Mr. Wedderburne, at five o'clock in the morning, that Lord Clive did, at the same time, render great and meritorious services to this country, which passed in the affirmative, and finished the enquiry.

Whether the premier on this occasion chose to appear the friend of public virtue, although he was fully apprized, that the measure which was calculated to serve it, would not be adopted; or, that without exerting his influence as a minister, he followed the dictates of his feelings as a man, certain

certain it is, that he contended for the censure against Lord Clive making part of the resolution.

A fortnight was wasted in this fruitless attempt to punish delinquents, after which the minister's bill to regulate the East-India Company was resumed \*. Governor Johnstone said, that the appointment of a general council and judges by the crown; was, in his opinion, annihilating the Company, and transferring the monopoly to the crown; a measure equally unjust to the Company, and injurious to the nation. He was clear that the Company could extricate themselves, without accepting the loan from parliament. Although they had creditors, they were not clamorous ones: the treasury, indeed, might be importunate, and against that the Company must be prepared. On the 10th of June, the bill being gone through, and the blanks filled up, it was moved, that this bill do pass, which was agreed to 131 to 21, and Lord North was ordered to carry it to the house of Lords. The salaries of the judges were thereby fixed at 8000l. to the chief justice, and 6000l. a year to each of the other three. The appointments of the governor-general and council were fixed, the first at 25,000l. and the four others at 10,000l. each annually. A clause was inserted, whereby every proprietor, possessed of 3000l. stock, was entitled to two votes; of 6000l. stock, to three votes; and of 10,000l. stock, to four votes, at future elections for directors.

A few days after, a petition was presented from the East-India Company, declaring, that they were determined to submit to the temporary difficulties which might attend the present situation of their affairs, rather than receive the loan

\* May 25.

offered to them upon the severe conditions prescribed. The house was strongly of opinion, that the option of refusing the loan should not be left in the Company, but that the acceptance of it should be made compulsory by parliament.

In the house of Lords the Duke of Richmond opposed the bill with great spirit, but the majority in its favour was nearly as great there as in the house of Commons. A long protest was soon entered against the bill, signed by thirteen peers †, in which, one of the strong objections urged, is, that it only transfers patronage without conferring new powers. The same noble peer moved, that a conference should be held with the Commons, as no parliamentary information was then before them; which being rejected, produced another protest signed by seven peers. The bill was carried through with amazing celerity, and passed the house on the 19th of June.

The regulations made in the administration of affairs in the East Indies by this act, did not differ essentially from those which had been proposed in Mr. Sullivan's bill, which had been brought in the preceding session, except that the salaries settled on the officers were much larger, and that the appointment to the new offices was vested in the crown.

When the great Hampden contended with the crown for the payment of forty shillings, which he considered as illegally levied, it was not within the compass of human

† The protesters were, the Lords Abingdon, Torrington, Boyle, Grosvenor, \* Devonshire, \* Ponsonby, \* Portland, King, \* Milton, \* Richmond, Archer, \* Rockingham, Fitz William.

\* These signed the second protest.

foresight to predict, that in little more than a century, that noble zeal, in the support of the just rights of mankind, would be lost in this country. When the parliament, after the peace of Ryfwick, refused to comply with a request made by their king and deliverer, that he might retain his Dutch guards, the members who were then such austere guardians of liberty against the encroachments of regal power, little thought, that even their sons might be senators, when parliaments would become the mere echo of the minister; and that the most essential alterations would take place in the condition of the prince and the people, without any alarm being excited, or the body of the nation having any apprehension of the change. But when the manners of a people alter, their form of government will undergo a corresponding modification. Simplicity and frugality, embrace liberty as the parent of every blessing; refinement and luxury spread a general indifference among the people, they become blind to consequences, and segment in a general cause; which furnish ministers with golden opportunities to effect their purposes. *Savior armis luxuria incubuit.*

The reduction made in the national debt this year, fell greatly short of the boasts of the first lord of the treasury the preceding one; the loan to the Company was raised by exchequer bills, charged upon the produce of the India Company, and the aids of 1779\*. Indeed, the standing amount of exchequer bills was reduced from 1,800,000 l. to a million. So that there were now two millions 400,000 l. in those bills in circulation. The baneful expedient of a lottery was this year renounced. Twenty

\* Lord North stated the debt due from the Company to Government, with the interest, to be 954,000 l. which, together with half a million to the Bank, more than swallowed up the whole loan.



thousand seamen, including 4534 marines †, and 17,070 land forces, including 1522 invalids §, for Great-Britain, Jersey, and Guernsey were voted. Five hundred pounds to the Turkey Company; 2000 l. towards building a bridge across the Thames; 8750 l. to John Harrison, as a farther reward and encouragement for his invention of a time-keeper; 2000 l. to Dr. Richard Williams, for the discovery of the secret whereby cotton, yarns, and thread receive a fast green and yellow dye. The whole amount of the supplies for the year 1773 was, 6,980,210 l. The produce of the sinking fund was applied up to the 5th of April 1773, and the sum of 2,349,806 l. was charged on that fund, which was about half a million more than the last year. The excess of the provisions was estimated at more than half a million, as in the preceding year; but so erroneous had been that calculation, that a deficiency of 21,085 l. was now to be made good. Upon the whole, instead of a million and a half of the national debt being discharged, according to the financier's project in the last session, no part of the funded debt was annihilated; 800,000 l.

‡ The expence of the navy this year was as follows :		£
Seamen	_____	1,040,000
Ordinary of navy	_____	424,019
Building, Rebuilding, and Repairing Ships	_____	421,554
		<u>1,885,573</u>

§ The expence of the military establishment, including forces and garrisons, in Europe, Africa, the Ceded Islands, and North America, was as follows :

Army, Ordnance, Greenwich-Hospital, &c.	_____	1,390,204
Half-pay	_____	112,903
Army extraordinaries	_____	249,708
		<u>1,752,815</u>

in exchequer bills was indeed reduced, (those created for the use of the East-India Company, being no more than lending the public credit) but we have seen that the future produce of the sinking fund, was, on the other hand, staked for half a million beyond the former year. How little are the declarations of the prime minister attended to, even in the most important branch of his department! An end was put to this long and important session on the 1st of July, and Lord North having completely triumphed in the contest with the East-India Company, repaired to Oxford, to be invested with his new dignity of chancellor of that university, and to preside at the Encænna there held in honour of that event.

#### CHAP. IV.

*Meridian splendor of Lord North's Administration—Comparative view of the American Colonies and the mother Country—Discovery of letters written by the governor and lieutenant-governor of the Massachusetts's Bay—The house of representatives petition the king to remove those officers—Report of the privy council thereupon—Tea destroyed at Boston—General conduct of the Americans on the arrival of the teas—Meeting of parliament—Message from his Majesty—Bill for shutting up the port of Boston—Regulation of the government in the province of the Massachusetts's Bay—Debate on a motion to repeal the duty on tea—Bill for the impartial administration of justice—Lord North's plan of finance for the year 1774—Quebec set—Death of the*

*King of France—American congress formed — Petitions to the King—Sudden dissolution of parliament—Probable causes which led to it.*

THE period at which we are now arrived, is the meridian splendor of Lord North's Ministry; his conquests in the East were as extensive as those of Alexander, and effected with no less rapidity; but then he needed not, like that monarch, to weep that he had no other world to conquer, the western hemisphere opened to his view a prospect different indeed, but not less extensive, and equally demanding the abilities of a great minister. A controlling power over two such extensive, rich, fruitful, and populous territories, as Hindostan and North America, conveys a stupendous idea of human authority and power, which no other country ever possessed, and which no other minister ever exercised. The points to be attained in the different countries, were as opposite as the climate which prevailed in each. In the East-Indies the object was, to repress a spirit of rapacity, oppression, and tyranny, which led men in power to violate the rights of humanity without remorse or limitation; in the western region, the professed purpose was, to check and repress an exuberance of freedom, proceeding from active industry, unassuming equality, and general happiness. We have already seen the conduct pursued towards our eastern possessions, it remains that we now speak of the other section of the globe.

The Colonies and Mother-country presented, at this time, in strong opposition, the lineaments of their different ages. Great-Britain grown old in prosperity, become wealthy, proud, assuming: impatient of every restraint,

straint, or of the slightest contravention of her mandates,  
 but at the same time, improvident and lavish. An apostate  
 from those principles to which she had been habitually  
 attached ; indifferent to the welfare of others, mistaken in  
 what constituted her own. America on the other hand,  
 rising in all the vigour of advancing maturity, without  
 specie, but rich in the products of a genial soil, the labours  
 of a hardy race of seamen, and a growing commerce. The want  
 of the precious metals, though attended with some inconveniencies,  
 contributed greatly to fix the character and manners of the people.  
 It served to place happiness rather in what was to be enjoyed, than  
 in what was to be amassed. Avarice appeared in all its deformity  
 in the eyes of a people who had no titled greatness to aspire to,  
 and with whom, honest industry was a security against extreme  
 necessity. In such a country, and in such an age, a man possessing  
 a philosophic and reflecting mind would wish to live ; and there  
 have been times, in which it would have been considered as the  
 glory and happiness of a prince to reign over subjects so free,  
 so increasing, and so happy, ere the science of finance gave  
 oppression a new form. But America was much more at her ease  
 than England, and she must be brought to contribute a reasonable  
 proportion to the necessities of the parent state, whence  
 originated the beloved idea of subjecting America to internal  
 taxation. Her population too increased in a more rapid degree  
 than any other country had been known to do. According to  
 estimates made, which have never been controverted, some of  
 the North American Colonies double their inhabitants in sixteen  
 years, whilst the population of the British Isles is not supposed  
 to be on the advance. From hence it was self-evident, that  
 the Colonies in a much shorter time than fifty years, would be  
 equal in population to the mother-country,

perhaps



perhaps much more populous; and when arrived at such an height, what probability was there that the present subordination would continue.

So long ago as the year 1733\*, an act was passed, which laid certain duties on all foreign spirits, molosses, and sugars imported into the plantations; these imposts were submitted to, and the distinction between commercial regulations and internal taxation was not dwelt on, until the fatal introduction of the stamp-act; which, upon every principle of national interest, without considering the question of legal right, or the expediency of exerting the power, should either have been inflexibly adhered to, or that kind of taxation abandoned for ever. The evil genius of this country caused neither the one nor the other to happen. The stamp-act was repealed, and a duty was laid upon teas and various other articles imported into America. This was no more an internal tax than the former one on sugars, indeed the duties last levied were on merchandize from Great-Britain, the others on foreign products; but the Americans chose so to consider it, and many other causes of discontent prevailed. Had Great-Britain, at that time, been distinguished for public spirit, love of liberty, and scrupulous attention to a rigid œconomy in the expenditure of public money, the effects of which appeared in seizing every proper means of reducing the national debt; and had the Americans been called upon by an administration pursuing such views, to contribute to such a purpose, their feelings would not have revolted from the demand. Indeed, they did not dispute the propriety of the mother-country making a requisition, they only asked to be permitted to raise the contribution by acts of their own as-

semblies. Had such a mode been assented too here, the opposite extremities of the Atlantic would have been united in one common cause, and the British constitution would have grown permanent even from age itself. Mutual confidence could alone build up such a fabric, for although the two countries were united by common ancestry, by participating in the same free constitution of government; by professing the tenets of protestantism; by commercial and friendly intercourse, and the exchange of reciprocal benefits, yet they were separated by an ocean of three thousand miles expanse; which, whilst it promoted that amicable commercial intercourse, created distinct interests in the two countries, which began to foment jealousies and mutual disgust. Each country reasoned according to the opinions most prevalent there, and every age has its leading sentiments. The one carried the principles of civil liberty and the natural rights of mankind to a great height; the other was no less tenacious of the doctrine of subordination to the parent state, and submission to the regulations made by the legislature. Had the contest arisen half a century ago, many of the arguments which were urged on each side would not then have been produced. A government founded on the principles of freedom, could not possibly be brought into a more perplexing situation than that, into which the dispute with the Colonies threw Great-Britain. Perhaps no sovereign ever swayed the sceptre of these realms, that was any way equal to the object to be effected, except Queen Elizabeth. That great princess, who came to the throne at a most critical period, knew how to accommodate herself to the temper of the times. She possessed all the soothing arts which are calculated to persuade, and knew as well, both when and how, to enforce obedience. She was served by some of the ablest statesmen that this country ever produced, and extended her views more  
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into futurity, than any one of her successors, the great Nassau only excepted.

A general dissatisfaction prevailed in America, and agreements had been entered into not to import any merchandize from Great-Britain, which had greatly affected the commerce of this country, although these engagements were not strictly observed on the part of the Americans. Their governors, who were appointed by the crown, but paid by the people, were unanimous in their manner of representing the spirit of opposition which prevailed among the colonies. In each province contentions between the governor and the house of representatives were frequent, and obstructed the public business in every session. The New England provinces were the most forward in these disputes, and in the Massachusetts Bay they rose to the greatest height. There, no terms had been kept for a considerable time between Sir Francis Bernard, the governor, and the assembly, whilst each charged the other with being the cause of the dissensions. In the year 1770, that gentleman was recalled, and Mr. Thomas Hutchinson, a native of America, and lieutenant-governor, succeeded him; whereupon Mr. Andrew Oliver, also by birth an American, who was secretary of the province, became lieutenant-governor. Some letters which were written by these gentlemen, to persons in power and office in England, in the years 1768 and 1769, happened to be procured by Dr. Franklin, who resided in London as agent for the house of representatives of the Massachusetts Bay, and were by him transmitted to Boston. Many passages in these letters gave great offence to the Bostonians, particularly the following in one of governor Hutchinson's letters; "I never think of the measures necessary for the peace and good order of the colonies, without pain. There must be an abridgment of what are called  
English

English liberties. I relieve myself by considering, that in a remove from the state of nature to the most perfect state of government, there must be a great restraint of natural liberty. I doubt whether it is possible to project a system of government, in which a colony three thousand miles distant from the parent state, shall enjoy all the liberty of the parent state. I am certain I have never yet seen the projection. I wish the good of the colony, when I wish to see some farther restraint of liberty, rather than the connection with the parent state should be broken; for I am sure, such a breach must be the ruin of the colony." Speaking of the combination of the American merchants, he says, "But it is not possible that provision for dissolving these combinations, and subjecting all who do not renounce them to penalties adequate to the offence, should not be made, the first week the parliament meets. Certainly, all parties will unite in so extraordinary a case, if they never do in any other."

In consequence of the discovery of these letters, an address from the representatives of Massachusetts Bay to the King, was transmitted from Boston to their agent, and by him delivered to the American secretary\*. In it they petition his majesty to remove their governor and lieutenant-governor, whose conduct had a natural and efficacious tendency to interrupt and alienate the affections of his majesty, whom they style their rightful sovereign, from his loyal province, and to destroy all harmony and good-will between Great-Britain and the colonies. They likewise charge their governor and his lieutenant, with having been among the chief instruments in introducing a fleet and an army into the province, to establish and perpetuate their plans. This address was afterwards laid before a committee of the privy-

\* August, 1773.



council, who reported the charges in the petition to be groundless, vexatious and scandalous, and that the petition ought to be dismissed.

It has been already observed, that an act of parliament was passed towards the close of the last session, enabling the East-India Company to export teas duty-free. In consequence of which, the Company resolved upon a mode of trade which they had never before adopted, and instead of disposing of their teas at public sale, freighted several ships for the American colonies, on their own account, and appointed agents there for the disposal of their cargoes.

Many strong reasons were urged against this measure. It could not be expected to afford the Company any relief from their present embarrassments, as the returns would not be made expeditiously, nor perhaps punctually, even if the teas should find as good a market as the most strenuous adviser of the measure could expect. But if the excess of their stock of teas was disposed of at public sale, the merchants would become purchasers to a very large amount, and the time of payment could, in that case, be ascertained. It was even calculated, that a sum of money might be raised by that means, sufficient to extricate the Company from their difficulties. A gentleman distinguished for his abilities, and who was well acquainted with the disposition of the Americans, as well as the interests of the Company \*, told the chairman, that the Company were criminally absurd, because they were presenting themselves as the butt in the controversy, where they would probably come off with the loss of all their merchandize. However, it was the favourite plan of administration, that the Company should become their own factors.

\* Governor Johnstone.

Notwithstanding

Notwithstanding the colonies actually received their teas at 9d. a pound cheaper than they had formerly done, yet they were not thereby induced to purchase them. They said, that the East-India Company were quitting their usual line of conduct, and wantonly becoming the instrument to give efficacy to an odious law. Throughout the colonies, the most violent opposition to the landing of the teas prevailed, and without any interchange of sentiment, every port-town along that extensive coast was actuated by the same spirit.

When the tea-ships were expected to arrive, the agents appointed to receive them were compelled to renounce their engagements, and solemnly bind themselves not to act: the people delegated committees in different towns and provinces, to whom they gave the most extensive powers. Merchants were compelled to submit their books to the inspection of these regulators, who assumed the power of imposing tests, and inflicting punishments on such as opposed their proceedings. A custom-house officer, named Malcolm, was tarred and feathered, and in that manner led about the town of Boston. These violent measures were not confined to those places which had shewn the most active disposition to contend with the mother-country, the more peaceable and orderly provinces, on this occasion, departed from their former principles, and became equally violent in opposing the landing of the teas.

When three of the Company's ships arrived at Boston, in December, 1773, the captains, alarmed at the spirit which prevailed among the people, offered to return to England, without landing their cargoes, if they could obtain the proper discharges from the tea-consignees, the custom-house, and the governor: but though these officers would not ven-

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ture to land the tea, yet they refused the captains a discharge, whilst their cargoes remained on board, for the delivery of which they were chartered by the Company. The night after the governor had given his refusal \*, a number of armed men, disguised like Mohawk Indians, went on board the ships, and, in less than four hours, emptied every chest of tea on board them ships, amounting to three hundred and forty-two, into the sea, without the least damage done to the ships, or any other property; which having done, they retired. It is remarkable, that the governor, the civil power, the garrison of Fort William, and the armed ships in the harbour, were totally inactive on this occasion †.

At all the other American ports, where tea-ships arrived, the inhabitants obliged the captains to return without breaking bulk, (as the people of Boston were desirous of doing) except at Charles Town in South Carolina, where the teas were landed and put into a damp cellar, whereby the whole became rotten and useless.

On the 13th of January, 1774, his majesty opened the session of parliament with a speech from the throne, before the news of this outrage had arrived. In it he observed, that the state of foreign affairs afforded full leisure for the legislature to attend to the improvement of our internal and domestic situation, and to the prosecution of such measures as more immediately respected the preservation and advance-

\* December 18.

† A letter was afterwards read in the house of Commons, from Col. Leslie, who commanded at Boston at that time, in which he said, that neither the governor, the council, nor any of the custom-house officers had applied to him for assistance. If they had, he could most certainly have put a stop to all the riots and violences, but not without bloodshed, firing upon the town, and killing some innocent people.

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ment of the revenue and commerce of this kingdom : among these objects, the state of the gold coin was particularly recommended to the attention of parliament.

The house sat near two months before any measures were taken concerning the affairs of America, notwithstanding the alarming advices which had been received from thence soon after its assembling. At length the premier delivered a message from his majesty \*, informing the house, " that in consequence of the unwarrantable practices carried on in North America ; and particularly of the violent and outrageous proceedings at the town and port of Boston, with a view of obstructing the commerce of this kingdom, and upon grounds and pretences immediately subversive of the constitution, it was thought fit to lay the whole matter before parliament ; fully confiding, as well in their zeal for the maintenance of his majesty's authority, as in their attachment to the common interest and welfare of all his dominions ; that they would not only enable him effectually to take such measures, as may be most likely to put an immediate stop to these disorders, but would also take into their most serious consideration, what farther regulations and permanent provisions may be necessary to be established, for better securing the execution of the laws, and the just dependence of the colonies upon the crown and parliament of Great-Britain."

Immediately after the delivery of this message, upwards of one hundred papers respecting American affairs were brought up ; they consisted of copies and extracts of letters from the different magistrates and officers in America. The votes and resolutions of the inhabitants of Boston, with

\* March 7, 1774.

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many other authentic documents. An address being returned to his majesty, strongly expressing the readiness of the house to comply with the purport of the royal message, the minister soon after \* moved for leave to bring in a bill, "for the immediate removal of the officers concerned in the collection and management of his majesty's duties and customs, from the town of Boston, in the province of the Massachusetts-bay, in North America; and to discontinue the landing and discharging, lading and shipping of goods, wares and merchandize at the said town of Boston, or within the harbour thereof." His lordship entered into a justification of the governor's conduct, whom he described to have taken every method which discretion dictated, or good policy authorized, for the security of the East-India Company's property, the safety of the consignees, and the preserving of order and quiet in the town. The military force in the castle, and the ships of war in the harbour, might indeed have been called in to save the tea from destruction; but as the leading men in Boston had always made great complaints of the interposition of the army and navy, and charged all disturbances of every sort to their account; he with great prudence and temperance, determined, from the beginning, to decline a measure, which would have been so irritating to the minds of the people; and might well have hoped, that by this confidence in their conduct, and trust reposed in the civil power, he should have calmed their turbulence, and preserved the public tranquillity.

He said it was henceforth impossible for our commerce to be safe in the harbour of Boston, and it was highly necessary that some port should be found for the landing of

• March 14.

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our merchandize. That it was no new thing for a whole town to be fined, although thereby some few innocent individuals might suffer, when the authority of such a town had been, as it were, asleep and inactive. He instanced the city of London in king Charles II. time, when Dr. Lamb was killed by unknown persons, the city was fined for it\*; and the case of Edinburgh, in Captain Porteous's affair, when a fine was set upon the whole city; and also at

\* The fine imposed was 6000 l. His lordship herein committed an anachronism, it happened in the reign of Charles I. in the year 1728. Lamb, a creature of the Duke of Buckingham, at the time when the house of Commons were framing a remonstrance to the throne against that favourite, and which occasioned the hasty prorogation of parliament, was set upon in the streets of London by the rabble, and so roughly beat, that he died of his bruises the next morning. In consequence of which, the Lord-mayor and Aldermen were sent for to appear at the council table, and were there examined; and at first threatened that they should lose their charter, if they did not discover and deliver up, the principal agents in the uproar: however, the offence was afterwards expiated by a fine. *Kennet, Echard, Hume*, take no notice of this transaction.

Buckingham about two months after was stabbed at Portsmouth.

The propriety of adducing this instance of amercement, to justify a measure still more violent, although carried into execution, in an age when the rights of individuals, as well as of public bodies, were fully ascertained, may be strongly objected to. It is authentically transmitted to us, that Sir Francis Seymour, a member of the house of Commons, not many days before this riot, had said in that assembly, when the supplies were debated upon, "How can we speak of giving, till we know whether we have any thing to give; for if his majesty may be persuaded to take what he will, what need we give?" He then enumerated the arbitrary acts which had been exercised against the subject, and said, "To countenance these proceedings, hath it not been preached, in the pulpit, or rather prated, *that all we have is the King's by divine right?*" And Sir Robert Philips on the same occasion, said, "The grievances by which we are oppressed, I draw under two heads; acts of power against law, and the judgment of lawyers against our liberty." *Russetworth's Hist. Collections*, Vol. I. *Franklyn's Annals*.

Glasgow, where the house of Mr. Campbell was pulled down, part of the revenue of the town was sequestered to make good the damage. Boston, he observed, was much more criminal than either of the three cities he had mentioned, for that town had been upwards of seven years in riot and confusion ; all the disturbances in America, he said, had originated there.

The lord-mayor of London \* presented a petition of several natives and inhabitants of North America, then in London, which stated it to be an inviolable rule of natural justice that no man should be condemned unheard ; and that according to law, no person or persons can be judged without being called upon to answer, and being permitted to hear the evidence against them, and to make their defence. If judgment be immediately to follow an accusation against the people of America, supported by persons notoriously at enmity with them, the accused unacquainted with the charge, and from the nature of their situation utterly incapable of answering and defending themselves, every fence against false accusation will be pulled down. They asked, by what rule of justice can the town be punished for a civil injury, committed by persons not known to belong to it ? The petitioners conceive that there is not an instance, even in the most arbitrary times, in which a city was punished by parliamentary authority without being heard, for a civil offence, not committed within their jurisdiction, and without redress having been sought at common law. The instance brought of the city of London, was for a murder committed within its walls, by its citizens, in open day : but in this case, arbitrary as the times were, the trial was public ; in a court of common law, the party heard, and the law laid down by the Judges. In the case

\* Mr. Bull.

of Edinburgh indeed, parliament did interpose ; but this was to punish the commission of an atrocious murder, within her gates ; and aggravated by an overt act of high treason, in executing, against the express will of the crown, the king's laws. Both these cities had by charter, the whole executive power within themselves ; and in both cases, full time was allowed them to discharge their duty, and they were heard in their defence. But neither has time been allowed in this case, nor is the accused heard, nor is Boston a walled town, nor was the fact committed within it ; nor is the executive power in its hands, as it is in those of London and Edinburgh. On the contrary, the governor himself holds that power, and has been advised by his majesty's council to carry it into execution. If it has been neglected, he alone is answerable : and perhaps, the due course of law is operating there to the discovery and prosecution of the real offenders. The petition strongly insisted on the excessive rigour and injustice of the act, its tendency to alienate the affections of America from this country, and that her attachments cannot long survive the justice of Great-Britain.

The reply to the pleas urged in this petition was, that the case called for immediate redress ; it was unbecoming the dignity of parliament, to suffer chicane and subterfuge to evade the execution of substantial justice. It was asked, if the house doubted either the reality or degree of the offence, or of their own competency to enquire into and punish it ? Lord North would not undertake to say what would be the consequence or event of this measure, but he was strongly of opinion it would be salutary and effectual.

Little opposition was shewn to the bill at its introduction, but on its third reading, strong efforts were made to change the sentiment of the house.



Governor Johnstone predicted to the house, that the effect of this bill must be a general confederacy to resist the power of this country. He called it, irritating, tempting, nay inviting men to those deeds by ineffectual expedients; the aberrations of an undecisive mind, incapable of comprehending the chain of consequences which must result from such a law. The question of taxing America, he said, was sufficiently nice to palliate resistance, if the subject had never been disputed in this country: but after the highest characters of the state had declared against the right of this country to impose taxes on America, for the purpose of revenue; after the general voice of the senate had concurred in repealing the stamp-act upon that principle, there is so much mitigation to be pleaded in favour of the Americans from this circumstance, allowing them in an error at present, that it will be the height of cruelty to enforce contrary maxims with any degree of severity, at first, before due warning is given. It is in vain to say that Boston is more culpable than the other Colonies. Sending the ships away, and obliging them to return to England, is a more solemn and deliberate act of resistance than the outrage committed by persons in disguise, in the night, when the ships refused to depart. In extending this kind of punishment to the other Colonies, every one must see the danger; and yet, if it can be approved for one, the same arguments will apply to others. If a similar punishment were applied to the Colony of Virginia, the revenue would be reduced 300,000 l. a year, besides the loss of all foreign contracts, and perhaps, of that beneficial trade for ever. Those gentlemen, he continued, who are in the secrets of the cabinet, and know how assuredly every proposition from thence is adopted by this house, may be warranted in their sanguine acclamations in favour of this measure; but the general mass, who must  
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be equally ignorant with myself of what is to follow, can have no excuse for giving their assent so readily for punishing their fellow subjects in so unprecedented a manner; and their eager zeal serves only to shew, how ready they are to obey the will of another without exercising their own judgment in the case. My opinion is, that if coercive measures are to be adopted, an effectual force should be immediately carried into the heart of the colony resisting, to crush rebellion in the bud, before a general confederacy can be formed. For my own part, I am convinced from experience in the Colonies, that good government may be maintained there, upon rational grounds, as well as in this country.

That the power of restoring the port of Boston to its former rights should be absolutely vested in the crown, was objected to. Is it necessary, it was asked, either for punishment of the Bostonians, or for satisfaction to the East-India Company? Such a regulation could only be made for the purpose of establishing a precedent, of delivering over whole towns and communities to an arbitrary discretion in the crown. Until now, no precedent could be produced, of a maritime city being deprived of its port, and then left to the mercy of the crown, to restore the port or not, at pleasure.

No division took place, and the bill was immediately carried to the Lords\*.

In the debate on this bill, Mr. Charles Fox appeared, for the first time, among the minority. In the course of this session he had frequently shewn himself adverse to the

\* March 25, 1774.

opinions of the first lord of the treasury, and about the time when this bill began to be agitated, he quitted his seat at the treasury.

In the house of Lords, the Earl of Shelburne took an active part in opposing the bill. He presented to that house a similar petition to that which had been laid before the house of Commons, from the natives of America residing in and about London. The bill was supported by the Lords Mansfield, Gower, Lyttelton, Weymouth, and Suffolk, and opposed by the Dukes of Richmond and Manchester, the Marquis of Rockingham, the Lords Camden, Shelburne, and Stair. It passed the house the 30th of March, only five days after it was brought in, and received the royal assent the next day.

The bill enacted, that from and after the first of June 1774, it shall not be lawful for any person, to ship for exportation, goods from any quay, or wharf, within the town or harbour of Boston, nor are goods, wares, or merchandize, brought from any other country, to be landed there, under pain of the forfeiture of the said goods, and of the boat, lighter, or vessel, out of which they may be taken. Fourteen days allowed to such ships or vessels as may happen to be in the harbour of Boston, on or before the first of June. When it shall be made to appear to his majesty in council, that peace and obedience to the laws shall be so far restored in the town of Boston, as that the trade of Great-Britain may be safely carried on there, and the customs duly collected; if his majesty in council shall judge the same to be true, he may, by proclamation, or order of council, assign and appoint the extent, bounds, and limits of the port or harbour of Boston, and of every creek or haven within the same; and so many quays and  
wharfs

wharfs for the landing and shipping of goods as he shall judge fit and expedient, after which it shall again become a port. But this restoration of the privileges of the port of Boston, his majesty is not empowered to grant, until full satisfaction has been made to the East-India Company, by the inhabitants of Boston, for the damage sustained by the destruction of their goods; and to the officers of revenue and others, who suffered by the riots and insurrections, in the several months of November, December, and January.

Whilst the Boston port bill was depending in the house of Lords, the prime minister, in the other house, proceeded farther to develop the plan concerted by government for the subjugation of the refractory Colonies, by moving for leave to bring in a bill relative to the Massachusetts-bay, and the house being resolved into a committee\*, his lordship introduced the bill, by saying, "that an executive power was much wanted in that province, and that it became highly necessary to strengthen the hands of magistracy there. The force of the civil power consisted in the *posse comitatus*, which was composed of the very people who had committed all the riots and outrages which had happened for many years past; so that the preservation of the peace, was not to be looked for from them; and if the democratic part shew that contempt of the laws, how is the governor to execute any authority vested in him? He has not the power of appointing magistrates or of removing them; the council alone have that power, and they are dependent on the people. His lordship inferred from thence, that there was something radically wrong in that constitution. If the governor issued out a proclamation, there could

\* April 15.

hardly



hardly be found a magistrate to obey it, and it was necessary to have the concurrence of seven of the council to give validity to an act of the governor. Where there is such a want of civil authority, can it be supposed that the military, be they ever so numerous, can be of the least service? For, continued his lordship, I shall always consider a military power, acting under the authority and control of a civil magistrate, as a part of the constitution; but the military alone, ought not to act, and cannot do so legally."

He proposed by this bill to take the executive power from the hands of the democratic part of the government in that province, and that the governor should act as a justice of peace, and that he should have the power to appoint the officers throughout the whole civil establishment; such as the sheriffs, provosts, marshals, &c. the chief justice and judges of the supreme court excepted. All which officers should be removeable by his majesty. Town-meetings to be declared illegal, unless held by the special consent of the governor, or upon the annual election of certain officers which it is the people's province to choose. He proposed to put juries upon a different footing, which regulation he acknowledged to have been suggested by Lord George Germain †. These regulations he apprehended would effectually purge that constitution of all its crudities, and give strength and spirit to the civil magistracy, and to the executive power\*.

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† This noble lord had renounced the heresies of opposition, and become a convert to the established political faith, two sessions before.

\* His lordship, by adopting the principle of this bill, went something farther than his great grand-father had done in the year 1683. For, when the court was at that time resolved on depriving the City of London of its charter, the merits of the cause were solemnly argued before the judges of the court of King's-bench, who declared the liber-

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With a view to qualify these severe acts, some members in the house of Commons, who had assented to the Boston port bill, particularly Mr. Rose Fuller and the Hon. Con. Phipps, were of opinion, that something of a conciliatory and redressing nature should accompany them, as a probable means of rendering them efficacious. The advocates for such a measure pleaded, that parliament, whilst it resented the outrages of the American populace, ought not to shew a disposition to irritate the orderly and well-affected part of the Colonies. That if such had satisfaction in the matter of taxes, they would become instrumental in restraining the inferior and more turbulent from outrages; and that this sacrifice to peace would be at very little expence, as the produce of the tax was of no importance to Great-Britain. Such arguments were meant to pave the way for a motion to repeal the duty upon tea. The debate chiefly turned upon the policy of the repeal at this particular time.

Lord North denied that the tea tax was an inconsiderable revenue, and strongly contended that no acts of lenity should accompany their restrictive acts. To repeal at this time, would shew such a degree of wavering and inconsistency, as would defeat the good effects of the vigorous plan, which, after too long remissness, was at length

ties and privileges of the city, forfeited, and that they might be seized into the king's hand: In consequence of this sentence, the charter of the city was surrendered, which the Lord Keeper North, in the king's name, restored; but under such severe restrictions, particularly with respect to the choice of the lord mayor, aldermen, and sheriffs, as left the king absolute master of the government of the City of London. The transaction is related at large by Rapin. The city's charter was restored, in its fullest extent, at the revolution, and an act of parliament passed to prevent its being reassumed by the crown.

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adopted. Parliament ought to shew that it will relax in none of its just rights, but enforce them in a practical way. The legislature ought to shew, that it is provided with sufficient means of making itself obeyed whenever it is resisted. If the tax upon tea is repealed, other demands will be made on the part of America, which as soon as complied with, will be followed by others, until even America herself is surrendered. If the house persisted in that wholesome severity which it had begun to exercise, there was no doubt but obedience on the part of the Americans would be the result; let but Great-Britain maintain her rights with firmness, then peace and quiet will soon be restored.

The house divided upon the question, whether a committee should be appointed to take into consideration the repeal of the duty; Ayes 49, Noes 183.

This question being dismissed, the house proceeded to the second reading of the bill for regulating the government of Massachusetts-bay. In support of it, Mr. Welbore Ellis asserted, that it was the duty of the crown to take away or alter charters, if they were found deficient of the purpose intended. That the American papers on the table were sufficient evidence of the fact, and that it was not necessary for any farther hearing on either side. Great inconveniencies, he said, had arisen from the present form of government, which frequently retarded business, but which would be removed by this bill. Mr. Charles Jenkinson said, it was right to take away charters if they were abused; and to govern the Americans, as they were not capable of governing themselves. Mr. Jeremiah Dyson contended, that the house proceeded, not as a court of justice, but in their legislative capacity, regulating and supplying the deficiencies

ficiencies in charters which had been granted by the crown.

On the other side, General Conway pleaded, that the Americans had done no more than every subject would do in an arbitrary state, where laws are imposed against their will. He thought taxation and legislation in that case inconsistent; and asked, have you not a legislative right over Ireland? Yet no one will say we have a right to tax Ireland. He predicted, that these acts respecting America, would involve this country and its minister in misfortunes, and he wished it might not be added, in ruin.

Mr. Pownall, who had been some years governor of Massachusetts-bay, spoke ably on the form of government in that province, and concluded with characterizing the Americans as a conscientious, religious, peaceable sett of people; and added, that a more respectable sett of men did not exist in all his majesty's dominions.

Sir Edward Astley hoped, that if we had had a twelve years lenity and inactivity, we should not now proceed to have a twelve years cruelty and oppression. He deemed the measure to be a harsh one, and unworthy of a British legislature.

Mr. Dowdeswell pleaded strongly and ably that the province should be heard, before an act was passed, which would entirely deprive it of its chartered rights. He presented a petition from Mr. Bollan, agent for the council of the province, praying that the bill might not pass into a law, until he should have time to receive answers from thence to letters which he had sent. The prayer of this petition, he said, was so perfectly reasonable, that it appeared



peared impossible to be rejected out of the court of the inquisition. The petition was rejected. The bill was carried on the second reading without a division.

Lord North then proposed a third bill, which he hoped would effectually secure the province of Massachusetts-bay from future disturbances. He said, the juries of that country were not established after the manner in which our juries here are; and therefore were not so likely to give to each offender that impartial trial, which, by the laws of this country he was entitled to. By the bill which he meant to propose, whenever it should be found in that country, that a man is not likely to meet with a fair and impartial trial, the governor should be empowered to send him to any of the other colonies, where the same kind of spirit has not prevailed; but if it should be thought that he cannot have a fair and impartial trial in any of the Colonies, in such a case the party accused shall be sent to Great-Britain, to be tried before the Court of King's-bench; the expences of which trial, to be drawn for on the customs of England. Such a measure, he trusted, would shew to America, that this nation is roused to defend its rights, and to maintain the peace and security of its Colonies; and when roused, that the measures taken are not cruel nor vindictive, but necessary and efficacious. His lordship proposed, that the bill should continue in force for three years, and declared it to be the last measure that parliament would take: after which, it required, that his majesty's servants there should be vigilant in the execution of their duty, and keep a watchful eye over every encroachment upon these newly created powers, and not suffer the least degree of disobedience to their measures to take place in that country. The customary relief of troops, he said, which was four regiments, were ordered for Boston; and  
General

General Gage would go out with them as commander in chief, and governor of the province. He then moved for leave to bring in a bill, “for the impartial administration of justice, in the cases of persons questioned for any acts done by them in the execution of the laws for the suppression of riots and tumults, in the province of Massachusetts-bay in New England;” and produced precedents to warrant the measure, which were, that the *habeas corpus* act had been suspended in the year 1745. That smugglers apprehended for offences committed on the coast of Suffex, had been made triable in the county of Middlesex, and the Scotch rebels in England.

The opposition denied the necessity of this act, even on the supposition, that justice might be perverted in New England; because, in such cases, the prerogative of the crown might step in, and the governor might reprieve any one, who appeared to be convicted illegally or unjustly.

Colonel Barré declared he rose with great unwillingness to oppose this bill in its very infancy, before its features were well formed, and to claim that attention, which the house seemed to bestow with great reluctance on any arguments in behalf of America. Whilst their proceedings, severe as they were, had the least colour of justice, he said, he desisted from opposing them; and although the bill for shutting up the port of Boston, contained in it many things most cruel, unwarrantable, and unjust, yet as it was couched under those general principles of justice, retribution for injury, and compensation for loss sustained, he desisted from opposing it. The bill was a bad way of doing what was right, but still it was doing what was right. As to the bill then before the house, he pronounced it to be unprecedented in any former proceedings of parliament;

liament; and unwarranted by any delay, denial, or perversion of justice in America. It was so big with oppression and misery to that country, and with danger to this, that the first blush of it was sufficient to alarm and rouse him to opposition. It went to stigmatize a whole people as persecutors of innocence, and men incapable of doing justice, without a single fact being produced, on which to ground the imputation. On the contrary, the instances which have happened, are direct confutations of such charges. The case of Capt. Preston was recent; this officer and some soldiers had been indicted at Boston for murder, in killing some persons in the suppression of a riot; they were fairly tried and fully acquitted. It was an American jury, a New England jury, a Boston jury, which tried and acquitted them. Capt. Preston has under his hand, publicly declared, that the inhabitants of the very town where their fellow-citizens had been slain, acquitted him. This is the very case the act supposes. Is this the return made them? Is this the encouragement given them to persevere in so laudable a spirit of justice and moderation? He denied that the cases of trials for smuggling, and of treason in the last rebellion, did at all apply to the present case, because the inconveniencies of prosecution or defence, was comparatively insignificant, on account of the little distance to which the trials were removed. He took notice of Lord North's expression, "we must shew the Americans, that we will no longer sit quiet under their insults," and called it mere declamation, unbecoming the character and place of him who uttered it. He asked, in what moment have you been quiet? Has not your government for many years past been a series of irritating and offensive measures, without policy, principles, or moderation? Have not your troops and your ships made a vain and insulting parade in their streets

streets and in their harbours? It has seemed to be your study to irritate and inflame them. You have stimulated their discontents into disaffection, and you are now goading their disaffection into rebellion. Can you expect to be well informed when you listen only to partizans? Can you expect to do justice, when you will not hear the accused?

After having endeavoured to shew that the bill was without precedent to support it, or facts to warrant it, he proceeded to represent the consequences which it was likely to produce. A soldier feels himself so much above the rest of mankind, that the strict hand of the civil power is necessary to check and restrain the haughtiness of disposition which such superiority inspires. What constant care is taken in this country, to remind the military that they are under the restraint of the civil power. In America, their superiority is felt still more. Remove the check of the law, as this bill proposes, and what insolence, what outrage, may you not expect? Every passion that is pernicious to society, will be let loose upon a people unaccustomed to licentiousness and intemperance. These people, who have been long complaining of oppression, will see in the soldiery those who are to enforce it upon them; whilst the military, strongly prepossessed with the idea of that people being rebellious, unawed by the civil power, and actuated by that arbitrary spirit which prevails in the best troops, will commit violences which might rouse the tamest people to resistance, and which the vigilance of their officers cannot effectually restrain. The inevitable consequence will be open rebellion, which you profess by this act to obviate. I have been bred a soldier, he continued, have served long; I respect the profession, and live in the strictest habits of friendship with

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many



many officers; but there is not a country gentlemen of you all, who looks upon the army with a more jealous eye, or would more strenuously resist the making them independent of the civil power than myself. No man is to be trusted in such a situation. It is not the fault of the soldier, but the vice of human nature, which, unbridled by law, becomes insolent and licentious. When I stand up an advocate for America, I feel myself the firmest friend of this country. We owe our greatness to the commerce of America. Alienate your Colonies, and you destroy the genuine supply which nourishes your own strength. Let the banners of rebellion be once spread in America, and you are an undone people. You are urging this desperate, this destructive issue. You are urging it with such violence, and by measures tending so manifestly to that fatal point, that though a state of madness only could inspire such an intention, it would appear to be your deliberate purpose. You have changed your ground: you are becoming the aggressors, and are offering the last of human outrages to the people of America, by subjecting them, in effect, to military execution. I know the vast superiority of your disciplined troops over the provincials; but beware how you supply the want of discipline by desperation. Instead of sending them the olive-branch, you have sent the naked sword. By the olive-branch, I mean a repeal of all the late laws, fruitless to you and oppressive to them. Ask their aid in a constitutional manner, and they will give it to the utmost of their ability. They never yet refused it when properly called upon. Your journals bear the recorded acknowledgments of the zeal with which they have contributed to the general necessities of the state. They may be flattered into any thing, but they are not to be driven. Have some indulgence to your own likeness; respect their sturdy English virtue; retract  
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your odious exertions of authority ; and remember, —that the first step towards making them contribute to your wants, is to reconcile them to your government.

An old member \*, who was very rarely adverse to ministry, strenuously opposed this bill, and concluded his speech with these remarkable words : “ I will now take my leave of the whole plan. You will commence your ruin from this day. I am sorry to say, that not only the house has fallen into this error, but the people approve of the measure. The people, I am sorry to say, are misled. But a short time will prove the evil tendency of this bill. If ever there was a nation running headlong to ruin, it is this.”

On the 8th of May Sir George Savile moved, for leave to present a petition from the natives of America resident in London, against the two bills then depending, which was admitted.

Therein it was asserted, that a charter, so granted as that of the 3d of William and Mary to the province of Massachusetts-bay, was never before altered or resumed, but upon a full and fair hearing ; that therefore the present proceeding is totally unconstitutional, and sets an example, which renders every charter in Great-Britain and America entirely insecure. The appointment and removal of the judges at the pleasure of the governor, with salaries payable by the crown, puts the property, liberty and life of the subject, depending on judicial integrity, in his power. The petitioners perceive a system of judicial tyranny deliberately at this day imposed upon them, which, from the bitter experience of its intolerable injuries, has been abolished in this country.

\* Mr. Rose Fuller.

It then proceeded to state the objections to the other bill, for the more impartial administration of justice in the province of Massachusetts-bay; many of which were similar to those urged by Colonel Barré, which have been already stated. The bill, says the petition, by giving a dispensing power to the governor, advanced as he is by the former bill above the law, and not liable to any impeachment from the people he may oppress, must constitute him an absolute tyrant. No history can shew, nor will human nature admit of, an instance of general discontent, but from a general sense of oppression. The petitioners wished they could possibly perceive any difference between the most abject slavery, and such entire submission to a legislature, in the constitution of which they have not a single voice, nor the least influence, and in which no one is present on their behalf. They regarded the giving their property by their own consent alone, as the unalienable right of the subject, and the sacred bulwark of constitutional liberty: to deprive the Colonies therefore of this right, is to reduce them to a state of vassalage, leaving them nothing they can call their own; nor capable of any acquisition, but for the benefit of others. They entreated the house to consider, that the restraints which the examples of such severity and injustice impose, are ever attended with the most dangerous hatred. In a distress of mind which could not be described, the petitioners conjured the house, not to convert their zeal and affection, which have hitherto united every American hand and heart in the interests of England, into passions the most painful and pernicious. Most earnestly they beseeched the house not to attempt reducing them to a state of slavery, which the English principles which they inherit from their mother-country, will render worse than death.—  
The bill for regulating the government of Massachusetts-bay,

bay, was, that same day, carried by a majority of almost five to one\*.

In the house of Lords; the absolute necessity of a powerful and speedy remedy for the cure of a government which was so totally debilitated as that of Massachusetts-bay, was the chief reason assigned for the haste with which the bill was carried through, and for declining to hear evidence at the bar, and for departing from the ordinary rules by which judicial proceedings are regulated. The lords in administration endeavoured to prove, that the process was not of a penal nature; so far from it, that it was beneficial and remedial: they went so far as to assert it to be a great improvement in the Massachusetts's form of government, because it brought it nearer to the English model. All these assumptions were controverted by the minority lords, who strenuously opposed the bill without being able to make any converts to their opinion. It passed on the 11th of May, 92 against 20. The licentiousness of the people was hereby to be suppressed by the licentiousness of power. A protest was however entered on the journal, which was signed by eleven lords†.

In this protest it was maintained, that the rights which the inhabitants of Massachusetts-bay enjoyed by virtue of their charter, could not be properly taken away, without the definite legal offence by which a forfeiture is incurred being first clearly stated and fully proved; and the parties affected by such proceedings, should have had notice of the process, in order that they might plead in their own defence. Such a mode of proceeding is not technical forma-

\* 127 to 26.

† Viz. Richmond, Portland, Abingdon, King, Effingham, Ponsonby, Rockingham, Abergavenny, Leinster, Craven, Fitzwilliam.



lity, but substantial justice. It proceeded to say, that if the numerous land and marine forces which were ordered to assemble in Massachusetts-bay, were not sufficient to keep that single colony in any state of order, until the cause of its charter can be fairly and equally tried, no regulations in this bill, nor in any other, brought into that house, are sufficient for that purpose. Another objection made, was, because the appointment of all the members of the council, which this bill vested in the crown, is not a proper provision for the equilibrium of the colony constitution: the crown being empowered to increase or lessen the number of the council, on the report of the governor; which tends to destroy freedom of deliberation, and wholly to annihilate its use. The regulation respecting the sheriffs, was another innovation strongly objected to in this protest; the appointment of whom, being by the will of the governor only, and without requiring in the person appointed any local or other qualification, and making that officer changeable by the governor and council, as often and for such purposes as they shall think expedient, is a power which the British constitution has not trusted to his majesty and his privy-council. Hereby the invaluable right of trial by jury is turned into a snare for the people, who have hitherto looked upon it as their main security against the licentiousness of power. It concludes with saying, If the force proposed shall have its full effect, that effect, we greatly apprehend, may not continue longer than whilst the sword is held up. To render the Colonies permanently advantageous, they must be satisfied with their condition.

The reception given to the other bill, which went to regulate the administration of justice in Massachusetts-bay, in the house of Lords, was similar to that which changed the nature of its government, where it was carried through

43 to 12 \*. The minority lords on this occasion likewise entered a very strong protest †, in which they assigned, among other reasons for their dissent from the bill, that after the proscription of the port of Boston, the disfranchisement of the colony of Massachusetts-bay, and the variety of provisions which have been made in the session for new-modelling the whole polity and judicature there, this bill is an humiliating confession of the weakness and inefficacy of all the proceedings of parliament, by supposing that it may be impracticable, by any means which the public wisdom could devise, to obtain a fair trial there for any who act under government. By the bill therefore it is virtually acknowledged, that the British government is universally odious to the whole province; and that it is, or may become, hateful to all the Colonies: which is to publish to all the world, in terms the most emphatical, the little confidence the supreme legislature reposes in the affections of so large and so important a part of the British empire. The bill therefore amounts to a declaration, that the two houses of parliament know no means of retaining the Colonies in due obedience, but by an army rendered independent of the ordinary course of law, in the place where they are employed. They likewise dissent, because they think that a military force sufficient for governing upon this plan, cannot be maintained without the inevitable ruin of the nation: and lastly, because the bill seems to be one of the many experiments towards an introduction of essential innovations into the government of the empire.

On the day that this bill passed the house of Lords, the first lord of the treasury entered on the annual business of

\* May 18, 1774.

† The protesting lords were Richmond, Fitzwilliam, Ponsonby, Rockingham, Portland, Craven, Leinster, Manchester.

finance in the lower house. Twenty thousand seamen had been voted for the year 1774, including four thousand three hundred and fifty-four marines, the expence of which was stated to be 1,040,000*l*. The ordinary of the navy, and building, rebuilding, and repairing ships, amounted together to 864,917*l*. A navy-debt of 200,000*l*. was also discharged. The land forces for Great-Britain, Guernsey and Jersey, amounted to eighteen thousand and twenty-four effective men, including one thousand five hundred and twenty-two invalids; the expence of which was rated at 638,630*l*. The whole amount of military establishments in Africa, North America, and Europe, the out-pensioners in Chelsea-Hospital, pensions to officers widows, ordnance and ordnance-debt, including the above sum, was 1,532,814*l*. The extraordinaries of the army amounted to 288,030*l*. A million of 3 per cent. annuities was discharged and annihilated, at 88 per cent. no one person to subscribe to a larger sum than 5000*l*. stock\*. For calling in and recoinning the deficient gold 250,000*l*. The miscellaneous service was stated at 60,251*l*. † A million of Exchequer bills was paid off.

\* The same stocks were selected on this occasion as in the year 1772, when a million and half was paid off, (see page 74) viz. annuities consolidated by act of parliament of the 25th, 28th, 29th, 32d and 33d years of George II. and several subsequent acts, payable and transferable at the Bank. Also annuities consolidated by acts of the 25th of George II. and the 5th of George III. called reduced annuities, payable at the same place. Likewise old and new South-Sea annuities.

The price which the stock negotiable at the Bank bore in May 1774, was 86½, that at the South-Sea House 84½, the disproportion varying only a quarter per cent. from what it was two years before; during which time stocks had fallen more than 2 per cent. The douceur of six lottery tickets was worth 3*l*. These terms were better to the subscribers by one per cent. than the former.

† The particulars of which were as follows, viz.

New roads and bridges in the Highlands of Scotland

£  
6998  
To

off. The whole amount of the supplies was given in at 6,159,661 l. The ways and means for providing this sum were as follow. The land-tax and malt-duties stood as in former years, the amount of both of which was rated at 2,250,000 l. The balance from the sinking-fund on the 5th of January 1774, after it had yielded the sum charged thereon last year, was 113,190 l. The quarterly produce of the sinking-fund, ending the 5th of April, 1774, amounted to 619,303 l. One million two hundred and fifty thousand pounds was raised by Exchequer bills. A lottery, consisting of sixty thousand tickets, was distributed among the holders of the million of stock paid off, in the proportion of six tickets for every 100 l. stock, to be paid for at the rate of 12 l. 10 s. each ticket. Six hundred thousand pounds was distributed in prizes, the full amount of which was to be paid in money on the first of March 1775. The sum of 150,000 l. was gained by the lottery, which does not appear to be brought in aid of the supply. The produce of the sinking-fund was anticipated 2,080,696 l.\*.

To the Trustees of the British Museum	_____	£ 2000
General Surveys in North America	_____	2085
Civil Establishments in Africa, and in Nova Scotia, Georgia, East and West Florida	_____	23,568
To David Hartley, Esq; towards defraying the charge of his experiments to ascertain the practicability and utility of preserving buildings and ships from fire	_____	2500
For maintaining and supporting the British forts and settlements on the coast of Africa	_____	13,000
To make good sums issued by his majesty's orders, in pursuance of addresses of the house of Commons	_____	10,100
		£ 60,251
Besides which, the interest of annuities created in 1758, for the payment of which no fund was established by parliament, was replaced to the sinking-fund	_____	43,645

\* Which was 269,110 l. less than the preceding year; a sum something more than equivalent to the increase of Exchequer bills.

Fifteen



Fifteen thousand pounds was voted of the money receivable in the current year, on the duties and revenues directed by parliament to be reserved for defraying the necessary expences of defending, protecting, and securing the British Colonies and Plantations in America; for making good such part of the supplies as had been granted to his majesty for maintaining forces and garrisons in the plantations, and for provision for the forces in North America, Nova Scotia, Newfoundland, and the Ceded Islands for the year 1774. The overplus of grants for the service of the year 1773, being 126,981 l. was applied to the present supply\*. The sum of 90,936 l. was produced by certain duties, savings, and monies not applied, which were repaid into the Exchequer. The ways and means were stated to amount to 6,546,108 l. and to exceed the supplies by 386,447 l.

Towards the close of the session, the house of Commons took into consideration the state of the gold coin. Some regulations respecting which had been made in the preceding session, and by a royal proclamation which had been issued for that purpose. Evidence was given at the bar by some of the officers of the Mint, and a gentleman from the Bank, which went to prove the vast quantities of gold coin which had been diminished, and many resolutions were agreed to by the house. The deficient coin was called in, without any loss being sustained by the holders, and a recoinage took place. The whole amount of the gold coin brought into the Mint, in consequence of the various regulations made in the years 1773 and 1774, amounted to upwards of twenty-three millions. We are told by a celebrated calculator, that in February 1772, four and a half per cent. might be got by melting heavy guineas; gold

\* The excess had been computed at 559,149 l.

in coin not being permitted to be exported to any large amount, whilst bullion was under no prohibition. What encouraged this kind of traffic was, that the balance of trade had been generally against us ever since the conclusion of the last war, arising from the increase of luxury and the national debt; for by the latter, large sums were annually sent out of the kingdom in payment of interest. The same writer gives it as his opinion, that enough had been done to restore the gold coin by the first coin act, and that all which was afterwards done, has been nothing but a preparation of the coin for melters and exporters.

A bill had passed the house of Lords with little notice, and but weak opposition\*, for the purpose of "making more effectual provision for the government of the province of Quebec, in North America," and was brought to the commons on the 18th of May. On the second reading it was very strongly opposed.

By his majesty's proclamation, dated 7th of October 1763, the countries, territories, and islands, ceded by the peace, were declared to be formed into four distinct governments, viz. Quebec, East Florida, West Florida, and Grenada, by virtue of letters patent, under the great seal of Great-Britain; and the respective governors were vested with express power and direction, that as soon as the state and condition of the said Colonies would admit thereof, they should, with the advice and consent of the members of their respective provincial councils, summon and call the general assemblies, within the said governments, respectively, in such manner and form as is used and directed in those provinces and colonies in America which are under

\* It was carried forty-one against fifteen.

the immediate government of the crown. And the governors were thereby farther empowered, by the consent of the council and representatives of the people so summoned, to make, constitute, and ordain laws, statutes, and ordinances, for the public peace, welfare, and good government of their colony, *as near as may be agreeable to the laws of England*, under such restrictions and regulations as are used in other Colonies. And until such a form of government can be established, all persons inhabiting in, or resorting to those Colonies, were assured of the royal protection for the enjoyment of the benefit of the English laws; for which purpose courts of judicature were directed to be constituted to determine all causes, as well criminal as civil, according to law and equity, and, as near as may be agreeable to the laws of England, with a right of appeal to the king's privy council, under the usual limitations and restrictions.

The Quebec bill went to establish most important regulations. Its first object was to affix new boundaries to the province: in doing which, it, in fact, renounced the claims which had been made by the commissioners appointed by the British court to settle with the French the limits of Nova Scotia, or Acadia, after the peace of Aix-la-Chapelle; for it made the province of Quebec, or Canada, to extend along the southern coast of the river St. Laurence, from Chaleur Bay almost to Crown Point; to maintain the contrary to which, was the principal business of that commission. The bill, in farther describing the new limits to the province, carried them over the whole interior country which lay behind the New England provinces, together with those of New York and Pennsylvania, to the borders of the Ohio. The limits would most probably have been extended quite to the back of Georgia,

Georgia, if the charter granted to the province of Virginia had not conveyed the right to all lands westward, quite to the river of Mississippi; so that here the progress was stopped, and it struck off westward, through no less than ten degrees of longitude, to the eastern banks of the Mississippi, from whence it proceeded northward, until it touched the southern boundary of the lands granted to the Hudson's Bay Company, being from about the fortieth to the fiftieth degree of latitude. These regions, in which nature delights in the majestic, include the five great lakes, are much more extensive than the kingdom of France, and are capable of subsisting a larger number of inhabitants. The other grand object in the bill was, to new model the government of a province, thus extended to the circumference of a mighty empire. It granted the free exercise of the religion of the church of Rome, subject to the king's supremacy; and granted to the clergy of that church, the power of holding, receiving, and enjoying their accustomed dues and rights, with respect to such persons only, as shall profess that religion; a right being reserved in his majesty to make such provision out of the rest of the accustomed dues and rights, for the encouragement of the protestant religion, and for the maintenance and support of a protestant clergy within the province, as shall appear necessary and expedient. In all matters of controversy, relative to property and civil rights within the province of Quebec, resort to be had to the laws of Canada, as the rule for the decision of the same. The governor, lieutenant-governor, or commander in chief, with the consent of the legislative council, have the power of enacting new laws, except such as lay any tax or duty and repealing or altering old ones, but all such acts must receive the royal approbation to be in force. Real and personal estates might be disposed of by will, if executed either according  
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to the laws of Canada or England. The criminal law of England was, by this bill, continued in the province. The provincial assembly was hereby abolished, by being suspended in the following terms, "and whereas it is at present inexpedient to call an assembly," and the council to consist of no more than twenty-three, or less than seventeen, composed of persons resident in the province, and appointed by the king.

Mr. Dunning called it the most pernicious bill ever offered to parliament. He represented the form of government thereby given to the inhabitants of Canada, as essentially the same in form, and more liable to abuse, than the one they had formerly enjoyed under the crown of France; and that the ecclesiastical establishment granted to them, was intended to cheat them out of their civil liberties as British subjects. It was intended, he said, to operate two ways, first, for establishing arbitrary power in that vast extent of country; and secondly, to employ that power, thus modified and rendered obedient to the will of the possessors, in assisting to overthrow the liberties of America. Mr. Thurlow (Attorney-general) stated to the house the different governments which had prevailed in Canada from the first settling in that country by the French; and contended, that it was dangerous, cruel, and unprecedented, to establish new laws in a conquered country. General Carleton, Governor of Canada, was examined. He shewed the inconsiderable number of protestants settled in Canada, compared with those who professed the Roman catholic faith. The inhabitants in general, he said, liked the old French laws in preference to the English form of government; and he was of opinion, the bill then depending would be generally relished. In the progress of the business many other witnesses were examined;

examined; viz. Mr. Hay, chief justice of that province; Mr. Mazeres, curfitor-baron of the Exchequer, and late attorney-general there, and agent to the English inhabitants of Canada; Dr. Marriott, the king's advocate-general in England; Monf. Lolbiniere, a French gentleman of considerable property in Canada. It was proposed that General Murray, who was the first British governor of the colony, and continued in that capacity several years, should be summoned to attend, but it was overruled. The information obtained by these witnesses, was, principally, as to the preference given by the French inhabitants to the French or English laws; and it seemed pretty evident, that different sentiments prevailed among different ranks and conditions; the gentry made choice of the French code, the middle order and peasantry preferred the English laws.

A petition was presented to the house from Thomas and William Penn, owners of a great part of the province of Pennsylvania, representing the great injury their property would receive by the bill, and praying to be heard by counsel. Another petition was presented, signed by several merchants trading to Canada, which set forth, that several clauses in the bill would materially affect their property. Counsel was heard at the bar in behalf of both petitions. A petition was likewise presented by the city of London against the bill. Serjeant Glynn insisted, that it was a breach of the royal promise contained in the proclamation in the year 1763, which declared, that all persons who would go over to Quebec, should be entitled to the same laws and protection as they had had in England; whereas the bill before the house went to establish French laws, and the Roman catholic religion. In reply to the attorney-general, he shewed, that it was far from being unprecedented to introduce

roduce a new code of laws into a conquered country, Ireland and Wales were proofs thereof.

In support of the bill it was urged, that the laws which regarded personal property, and contracts between man and man, were much the same in France as in England. The French had no notion of a trial by jury, and disliked it as an innovation. The treaty of Paris, it was said, had secured to the French Canadians the free exercise of their religion, as far as was consistent with the laws of England; and our penal laws with respect to religion, it was asserted, did not extend beyond this kingdom, as the king's supremacy did; and the Roman catholics of Canada were obliged by the act to give a proof of their allegiance, by taking an oath which was therein prescribed, against all such papal claims as interfered therewith. The securing to the Romish clergy their tythes, by the act, was no more than placing them in the condition which they stood in at the conquest; subject however to this disadvantage, that no person professing the protestant religion was to contribute any thing to their support. The extension of the boundaries of the province beyond the limits described in the proclamation, was justified by the plea, that several French families were settled in remote parts of the country, beyond the former districts, and an entire colony was established among the Illinois Indians.

The opposition to the bill, was founded on the monstrous incongruity, which appeared in a British legislature establishing a form of arbitrary government in any part of the empire. Such a conduct was unknown in the history of this country, and would have been execrated at any other time than the present. The setting aside the assembly of the province, was imputed to the utter dislike which the ministry

nistry bore to such popular deputations, as well as to all the rights of the people at large. The measure was called an experiment for setting up an arbitrary government in one colony, which may be more patient of it than the rest, in order to extend by degrees that mode of ruling to all the others. It was asked, why is a trial by jury abolished in suits at law? Can the people be thought to have an objection to trust their property to a tribunal, to which they have trusted their lives? They insisted, that the grand security of liberty is the power of having civil actions tried by a jury; as in cases of arbitrary imprisonments, and many other violations of the right of the subject, the redress has been always sought in such a way. The English residing in Canada, and the merchants of Great-Britain, who trusted their property on a presumption that it was under the protection of the English laws, would be greatly aggrieved in being subjected to French customs and French forms of trial. The regulations hereby made with respect to the religion of the country, was much objected to. Every one seemed willing to allow the most extensive toleration to the Roman catholic religion, but many warmly opposed the establishment of that religion throughout the province, and giving protestantism no more than a toleration. The popish clergy gain a legal parliamentary right to a maintenance, the protestant clergy are left at the king's discretion. Both ought at least to be put on an equal footing, and legal support provided for both.

This bill occasioned greater debates, and larger minorities upon each division, than any of the bills respecting America, which had been before the house of Commons this session. Many amendments were made to it, and the minority laboured hard to give a trial by jury at the option of the parties; but in this they failed, as well as in ob-

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taining for the Canadians the privilege of the writ of habeas corpus. In consequence of the amendments, it was sent back to the Lords for their concurrence. Which furnished Lord Chatham with an opportunity of entering very fully into the merits of the bill. The amendments were agreed to twenty-five against seven\*. The Lord Mayor, Aldermen, and Commons of the City of London presented an address to his majesty, praying that he would not give his royal assent to the Quebec bill; immediately on receiving of which, he went to the house of peers, and gave his royal assent to such bills as were ready, of which this bill was one, and then put an end to the session †.

It is very remarkable, that all the regulations made in this session of parliament, respecting the government of the American Colonies, were in exact conformity to Governor Hutchinson's idea of colony administration, as expressed in an extract from one of his letters, which we have given ‡. By extending the limits of the province of Quebec, to all lands situated behind the northern and middle Colonies, which were not expressly included in any charter, if any settlements were already made by any of the colonists on parts out of their limits, which was very probable, such settlers would be immediately deprived of their democratic form of government. It also circumscribed the old Colonies within certain limits, which if, in future times, should be found too narrow for their increased population, those who sought new possessions would be obliged to relinquish their chartered form of government.

\* June 18.

† June 22.

‡ Page 124.

Another act which affected the province of Québec received the royal assent at the same time; the purport of which, was to establish a fund towards further defraying the charges of the administration of justice, and support of the civil government within that province. The French had laid duties on rum, brandy, and other liquors imported into the province of Canada, now called the province of Québec; and upon all dry goods imported into, and exported from that province; all of which, by this act, were taken off, and in their stead was laid a duty of three-pence per gallon on brandy and other spirits, the manufacture of Great-Britain. On West-India rum or other spirits, six-pence per gallon; American, nine-pence; rum or spirits of foreign manufacture one shilling. Molasses and syrups were to pay similar duties, according to the ports from whence they were brought. The same act obliged every person keeping a house of public entertainment, or retailing wine or other liquors, to take out a licence, for which he was to pay thirty-six shillings. The revenue arising from the duties on merchandize, was appropriated to defraying the expences of the administration of justice, and the support of the civil government in the province; the money arising from licences was granted to his majesty. This act therefore, served to establish in the province, both commercial and internal taxation; as well as the right of parliament to dispose of the money raised by taxes there, either to the support of the province, or for any other purpose they should think proper to apply it to. This act was essential to the perfecting of that system of government which was framed for Québec. Notwithstanding which, it was little noticed, either in its progress through the two houses, or by the people at large.

On the 10th of May, 1774, died Louis XV. king of France, in the sixty-fifth year of his age, and fifty-ninth of his reign, who was succeeded by his grandson Louis XVI. then almost twenty years of age ; the young king had been four years married to a princess of the house of Austria. On his accession, he found his kingdom recovering from that state of confusion into which it had been plunged by the improvidence of his predecessor ; but who, in the latter part of his reign, had applied every method to rectify the disorders of the state. Lord North took occasion to speak of this event in the house of Commons ; he said, “ a great and good prince was dead, who was a man of an amiable and peaceable mind ; but his successor, was not only wise and economical, but a pacific prince, who would not enter into any unnecessary war to try projects.” The new reign produced a new minister of finance, M. Turgot. The edicts issued during his administration, were phenomena in the political world: an absolute king rendering account to his subjects, and inciting his people to think ; a right, which it has been the business of all absolute kings, and their ministers, to extinguish in the minds of men ; but the regulations which he aimed at introducing, excited so strong an opposition, that he was soon obliged to quit his post, which was given to a man who afterwards accomplished what the other had attempted in vain, by introducing a very general reformation in the government and affairs of France, so far as the public revenue was concerned.

Meanwhile the consequences which were expected to follow from the exemplary punishments inflicted on the Colony of Massachusetts-bay, were not realized. The spirit of rivalry which used to prevail in the American sea-port towns, now no longer subsisted. No merchant dis-

discovered the slightest disposition to advantage himself by the shutting up of the port of Boston, and the Colonies in general, instead of deprecating that vengeance of the mother-country from themselves, which they saw fallen on one province, considered it as a common cause, and were forward to express their adherence to the principles which had incurred such heavy punishment. An agreement was drawn up at Boston, which was called a solemn league and covenant, the subscribers to which, bound themselves in the most solemn manner, to suspend all commercial intercourse with Great-Britain, until the Boston port-bill, and the other obnoxious acts of parliament were repealed, and the Colony of Massachusetts's-bay fully restored to the rights which it derived from its charter. The people not only in the New England governments, but in the other provinces, entered into this new league with the utmost eagerness. A general congress was held at Philadelphia, the beginning of September 1774, deputies to which were chosen by the houses of representatives of each province; the smaller Colonies sent two, and the larger ones seven, the whole number of delegates amounting to fifty-one. The province of Georgia alone, did not accede to the confederacy. In this general assembly, each Colony had no more than a single vote, whether its deputation was more or less numerous.

On the 30th of September 1774, the parliament was suddenly dissolved by a royal proclamation, after having sat six years, and the writs for electing a new house of Commons, were returnable on the 29th of November following. As this was a very unexpected measure, because an unusual exertion of the regal prerogative, no similar instance having happened for almost one thirty years, it gave the ministry great advantages in the election  
of



of members. Indeed the exigencies of the crown and the state of public affairs were such, that administration could not allow that the next session of parliament should be employed in framing such popular acts, as constantly take place in the last session of a parliament. The ministry had very important, and not very agreeable objects before them; the one was, to pay off the debts incurred upon the civil list establishment, and to obtain an increase in the annual revenue; the other, to bring the Americans to unconditional obedience, and only a house of Commons which was just entered on its functions could venture to concur in such designs.

Although the parliament, which was now dissolved, had, in some particular instances, gone counter to the minister, and left him in a minority; a conduct, which had ever been considered in former administrations as portending his removal, yet no one of these instances was succeeded by any diminution of the minister's influence, in any of the grand objects pursued by government; on the contrary, his lordship seemed, like Antæus, to gain strength by every fall. In no parliament since the revolution, did the crown obtain so great an increase of influence as in this we are speaking of. A parliament in the reign of Richard II. was called "the wonder working parliament," because it punished the judges and ministers with severity, and endeavoured to reconcile the king and his people. Other parliaments have likewise been distinguished by titles, expressive of the general tendency of their conduct; on which account that house of Commons which increased the national debt upwards of sixty millions during the last war, has been called by some "the prodigal parliament." On the same principle, the thirteenth parliament of Great-Britain may with propriety be entitled, "the regal parliament."

ment." At the close of it, Lord North appeared to be firmly established in his high office: indeed, his abilities were admirably adapted to the conducting of affairs in the house of Commons, by his steady attention and application to business, his coolness in debate, and talents as a speaker: for having now sat in three parliaments, he had corrected very strong natural impediments which lay in the way of his becoming an orator, and had acquired a very agreeable and persuasive elocution, which he employed with great address in foiling the attacks made upon him from various parts of the house. On all occasions he maintained his dignity, without appearing to assume or dictate.

These qualities led a learned law officer of the crown to remark in the house, that although many members might be ready to name some one whom they considered as better qualified to act as prime minister, according as their party attachments or private friendships influenced their judgments, yet all those gentlemen, he believed, would agree in acknowledging, that next to the man of their choice, no one was so eligible as the lord who then held that post; from whence he inferred, that he was actually the best qualified; for if when partiality and prejudice are gratified, all parties agree in their second nomination, impartial reason will declare such an one pre-eminently meritorious\*.

\* The thought was taken from Rousseau, who argued in this manner for the superiority of Italian music over that of any other country. The justness of the above application must be left to others to decide upon.

The amount and application of the sinking-fund, during the first five years of Lord North's administration.

Remainder of the quarter ending } January 5, 1770 —	299,375	£
Quarter ending April 5 —	<u>773,240</u>	
		1,072,615
Charged thereon for the service of } the year 1770 —	1,700,000	
Produce to the 5th of April 1771	<u>691,977</u>	
		2,391,977
Charged thereon for the service of } the year 1771 —	1,650,000	
Balance to January 5, 1772	191,608	
Produce of the quarter ending } April 5, 1772 —	<u>805,398</u>	
		2,647,006
Charged thereon for the service of } the year 1772 —	1,856,723	
Balance April 5, 1773 —	<u>350,193</u>	
		2,206,916
Charged thereon for the service of } the year 1773 —	2,349,806	
Balance to January 5, 1774	113,190	
Produce of the quarter ending } April 5, 1774 —	<u>619,303</u>	
		<u>3,082,299</u>
		<u>11,400,813</u>

In

In the same space of time, the national funded debt was reduced as follows :

A million and a half of annuities, at three and a half per cent. was paid off at par in the year 1770 —	} £ 1,500,000
A million and a half of three per cents. was paid off at 90 in the year 1772 —	} 1,350,000
A million of three per cents. was paid off at 88 in the year 1774 —	} 880,000
	<hr/>
	3,730,000
So that the sinking fund contributed towards the public service, during five years, including the interest of five millions borrowed in 1758, for which no other provision was made — —	} 7,670,813
	<hr/>
	<u>11,400,813</u>

END OF THE FIRST PART.



In the same force of time, the national funded debt was reduced as follows:

A million and a half of annuities, at three per cent, was paid off at par in the year 1770  
A million and a half of annuities, at three per cent, was paid off in the year 1771  
A million of three per cent annuities was paid off in the year 1774

During the same time, the sinking fund of annuities, at three per cent, during the year, including the interest of the annuities, amounted to 1,750,000  
which was made

1,750,000

1,750,000

END OF THE FIRST PART.

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OF  
G R E A T - B R I T A I N, *and Ireland*  
DURING THE  
ADMINISTRATION  
OF  
L O R D N O R T H,  
TO THE  
SECOND SESSION OF THE FIFTEENTH  
PARLIAMENT.  
IN TWO PARTS.  
WITH STATEMENTS OF THE PUBLIC EX-  
PENDITURE IN THAT PERIOD.

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— *Mors for civilibus undis.* HOR.

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L O N D O N:  
PRINTED FOR G. WILKIE, ST. PAUL'S CHURCH-YARD.  
MDCCLXXXII.

A  
 VOLUME  
 OF THE  
 HISTORY  
 OF  
 GREAT-BRITAIN  
 DURING THE  
 ADMINISTRATION  
 OF  
 LORD NORTH  
 TO THE  
 SECOND SESSION OF THE FIFTEENTH  
 PARLIAMENT  
 IN TWO PARTS  
 WITH STATEMENTS OF THE TUNES EX-  
 PENDITURE IN THAT PERIOD

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LONDON:  
 PRINTED FOR C. WHITTE, ST. MARK'S CHURCH-YARD.  
 MDCCLXXXII.

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## P R E F A C E.

**T**HE Writer who attempts to lay before his countrymen an impartial History of his own time, engages in a difficult, and on many accounts, an unpleasant work. He is himself liable to be drawn imperceptibly into attachments; and there are few readers who can reason calmly and judge dispassionately, of present ministers and measures.

These considerations might have led the Author to suppress, for some years, the latter part of this History, (which he has long been forming with some degree of laborious research) if the posture of public affairs did not appear to him to require the recent history of this country to be related now; that by an epitome of the important transactions in which this kingdom has been engaged, the whole may be brought into a close point of view, and the public may from thence be enabled to form a juster opinion of the measures which have been pursued, and how far the business of the state has been executed faithfully, assiduously, and wisely. To arraign ministers with a petulant and narrow spirit of detraction, is illiberal and highly reprehensible; to examine freely, fairly, and closely their principles of action, both as to the objects which they grasp



grasp, and the means which they apply, is the birthright of an Englishman, and an employment becoming a good citizen.

The History of Great Britain during Lord North's ministry, will ever be one of its most important periods, although it furnishes few materials to dignify and grace the historic page. It is filled with eventful operations, but not with brilliant actions; and to relate them becomes rather an act of duty, than a claim to literary fame. The subject is interesting, without being captivating.

The present situation of these kingdoms, though critical, is respectable; since the bravery and skill of our commanders by sea and land, that native hardiness and contempt of danger which characterise our seamen and soldiers, have suffered no decay, and the nation certainly possesses many men illustrious for virtues, talents, and public spirit.

A VIEW

A  
V I E W  
OF THE  
H I S T O R Y  
OF  
GREAT-BRITAIN, &c.

P A R T II:

*From the commencement of hostilities in America,  
to the meeting of Parliament in November,  
1781.*

C H A P. I.

*Evils foretold on the first settling of Colonies in America—  
General Gage appointed to the chief command—Discontents in  
America—General Congress first held—Proceedings of that  
body—Meeting of Parliament—Inactivity of Government  
towards America—Various opinions among the people—Re-  
duction in the army and navy—Petitions and addresses—Lord  
Chatham's motion in the House of Lords—His plan of con-  
ciliation—Bill to restrain the American fisheries—Mr. Burke's  
system of American government—Unrestrained liberty of the  
press—Conduct of the Earl of Effingham—Finances for the*  
N year

*year 1775—Sentiments of European states respecting the contest between Great Britain and her Colonies.*

WHEN the design of settling Colonies in North America, first became a national object in the reign of James the First, the speculative politicians of that age raised many objections to the measure, and fore-told, that after draining their mother country of inhabitants, those Colonies would soon shake off her yoke, and erect an independent government in America \*. More than a century and a half had, however, elapsed, and neither of these predicted evils had been realized. Experience had shewn, that the depopulation of Great Britain by emigrations to America was not to be feared; and the apprehension of the Colonies becoming independent states, seems at no time to have been entertained by government before the conclusion of the peace with France and Spain in 1763. Notwithstanding which security, it was evident, from the nature of things, that there certainly would come a time when the Northern continent of the new world, being overspread with a race of men active, enterprising, and enthusiastically attached to freedom, would begin to consider restraints as oppressions. The Colonists, influenced by that universal principle of self-love which actuates communities, as well as individuals, would, in process of time, recoil at the idea of that supremacy and inherent right of controul, which the parent state claimed to itself in perpetuity.

The establishment of parliamentary taxation in America, appeared to them to be nothing short of holding their property by the courtesy of a British senate. As their strength and consequence should hereafter advance, such views of

\* Hume's History of England, Vol. VI. 188.

things,

things would of course press upon them with greater weight. Thus whenever their population should have trebled its present amount, that accession would lead them to disregard those prohibitions which deprived them of the liberty to work up the materials which their earth yielded for the purposes of civil life ; when risen so high in the scale of political consequence, they would certainly have thought it oppression in being prohibited from manufacturing their own iron. The present race of Americans did not openly complain of the commercial restrictions which are laid upon them, but their immediate descendents yet unborn, if it had happened, that an uninterrupted course of prosperity, had nurtured them into a contempt of secondary importance, would have thought such burdens too grievous to be borne : at least the history of mankind will warrant such a supposition ; for subordination can be expected only from the weak to the strong. When such a revolt should cause them to be upbraided with ingratitude to their parent state, they might have replied, “ we have enriched you by our commerce whilst we were your dependents, we will still continue to do so on the footing of friends and equals, but our state of minority is now past.”

An independent condition is always accompanied by an independent spirit. Even a colony of Frenchmen, in whose breasts allegiance to their King is the most active public principle, when they grew sufficiently numerous and powerful to support themselves, would have looked to independence as their right.

The nature of the government established in British America, and the conduct of our Kings towards the Colonies, has uniformly been such as to encourage, instead of checking an independent spirit. The general law of descent



in the New England provinces, is an extention of that which is known among us by the title of gavel-kind, for the children equally share the patrimony, which effectually bars the acquisition, or at least the perpetuity of large fortunes, and greatly promotes a republican spirit.

It has been asserted, that when a plan of taxation for America was proposed to Sir Robert Walpole, he rejected it, saying, "let such measures be adopted by my successors, I never will undertake so intricate a business." It is however certain, that his administration was the precise time, for introducing such a form of government, as should correct whatever had been found to be wrong, or too indulgent, in the charters, and for familiarizing the people to the *mode* of internal taxation, rather than to the burdens of it, which might have gradually increased in proportion to their ability of bearing them. The more opulent and considerable Americans should have been enobled, and composed a legislative body in each province, to check the democratic tendency of the popular assemblies.

In short, it required the most penetrating eye, the most determined hand, and the most enlightened head, to establish such a system of government among the rising Colonies, as would secure their attachment and obedience throughout a series of ages; and the proper time for adopting these establishments was, when they were beginning to reckon their population by millions. To introduce an hierarchy might be what the friends of perpetual subordination would rather have wished than supposed practicable. Fifty years ago address and management might have proved successful in warping the natural disposition of the people in civil establishments, but in religious matters the Americans were ever inflexible.

The

The views of the legislature towards America, before the commencement of the present reign, were entirely occupied about raising the Colonies from a state of imbecility to a vigorous maturity, which was no sooner effected than popular discontents and unsettled government at home greatly lessened that respect and awe in which Great Britain had been held. We are now to relate the events which happened immediately after passing those restrictive acts of parliament which shut up the port of Boston, and gave a new form of government to the Colony of Massachusetts's Bay; a time when mutual distrust was rankling into bitter enmity.

That the coercive measures taken by government might produce their desired effect upon the people, General Gage was appointed Commander in Chief of the forces in North America, and Governor of Massachusetts's-Bay. This gentleman had resided many years on the American continent, had filled many respectable posts, and had rendered himself popular by his general conduct. On his arrival at Boston, in May, 1774, Mr. Hutchinson, the late Governor, embarked for England.

Such was the prevailing temper of the people, as to render them little inclined to welcome, with sincere gratulations, any Governor who might be placed over them, however they might venerate the personal qualities of the man. Nothing like dismay or remorse had been excited on the arrival of the act of parliament, by which the port of Boston was to be shut up. That which was meant as a punishment for sedition and violence, served only to rouse a more general spirit of resentment and opposition. The people felt the weight of the chastisement rather as citizens than as traders, and were more incensed at what they thought an arbitrary deprivation

deprivation of their natural rights, than depressed by the prospect of ruin which it laid before them. Copies of the act of parliament were printed, and dispersed with great expedition over the whole continent of North America south of the St. Lawrence, and the cause of Boston was represented as the cause of all. The alarm became general. At many places the act was burnt with great solemnity. The day on which it became in force\* was devoted to fasting, prayer and humiliation, throughout the whole continent, with very few exceptions. This devotional fervour was accompanied with a very spirited conduct, which the Governors of the respective districts in vain attempted to oppose,

The new Governor of Massachusetts Bay was probably little prepared to meet so general and determined a confederacy. As he had heretofore had many opportunities of acquainting himself with the temper and disposition of the Americans, it would be a libel on the British cabinet to suppose that he had not been consulted on the effect which was likely to be produced from this decisive proceeding of Great Britain, in which case, the opinion which he held cannot be doubted, for by accepting the government, he shewed that he flattered himself with the expectation of restoring tranquillity : but human expectancy is the vainest of all vain things !

The first time the Governor met the Provincial Assembly, was merely to open his commission, to signify in form to that body the restrictive act of parliament respecting the port of Boston, and to appoint the next meeting to be held at Salem on the second of June following, for the dispatch of business. The Assembly, when convened there, adhered closely to the example of the English parliament in the reign

\* June 1, 1774.

of Charles the First; they made the consideration of grievances precede all other business. A resolution was passed in the house of representatives, that a general meeting of committees for the several Colonies was expedient, and at the same time they named five gentlemen to represent that province, and voted five hundred pounds for their use. The Governor refused to confirm this resolution, so that it became invalid, whereupon the assembly recommended to the several towns and districts, to raise the money by equitable proportions. The house then came to many resolutions with great secrecy, unanimity and dispatch; recommending to the inhabitants of the province entirely to renounce the consumption of India teas, and, as far as possible, to discontinue the use of all goods imported from the East-Indies and from Great Britain, until the public grievances of America should be radically and totally redressed; in order to which it was recommended, that they should give every possible encouragement to the manufactures of America.

The Governor having obtained intelligence of these proceedings, sent his secretary to make declaration of his dissolving the assembly. He found the door locked, and having sent to acquaint the speaker that he had a message from the Governor to deliver to the house, he received for answer, "that the doors must be kept fast." The secretary being thus debarred admittance, caused proclamation to be made on the stairs of the dissolution of the general assembly\*, which put a final end to the existence of that body in the province of Massachusetts Bay, as founded on the charter granted by King William and Queen Mary. Still, however, some feeble efforts were made by a small number at

\* June 17, 1774.



Boston, to deprecate the vengeance of the mother-country ; and a sum of money was raised for the purpose of indemnifying the East-India Company for the tea which had been destroyed ; but notwithstanding the Governor exerted all his influence in cherishing and encreasing this propensity to obedience, it was borne down by the tide of popular fury, until the arrival of the act of parliament, which deprived the Colony of Massachusets Bay of its charter, and introduced a new form of government there, which served to alienate the minds of the small remnant who had till then retained their principles of loyalty uncorrupted.

The people of Massachusets (zealously attached not only to the principles but even to the forms which prevailed in the last century, during the grand conflict between the King and the puritans) subscribed a confederacy which they called a solemn league and covenant, whereby they bound themselves to maintain no kind of intercourse whatever with Great Britain, from the thirty-first day of August following, until the Boston Port Bill and the subsequent American acts should be repealed. The parties to this agreement engaged themselves farther not to consume, or purchase any kind of goods which might arrive after that time ; and whoever should import or vend any goods, the manufacture of Great Britain, were deemed enemies of their country, and cut off from all social intercourse. In civil contentions, neutrality is held to be criminal : such, therefore, as would not subscribe to this test, had their names made public as enemies to their country, and abettors of the attempts to enslave it. A philosophic moderation, as it is non-efficient upon the impetuous multitude, must be disclaimed when the interests and passions of men cause civil distractions : hence the advocates for liberty are frequently hurried into acts of tyrannny,

ranny. It may be affirmed, that England had never less freedom than under the government of the long parliament, and afterwards under Oliver Cromwell.

The violence of the people at Boston was however somewhat overawed by the arrival of large bodies of troops at different times; and the justices of Plymouth county signed a congratulatory address to General Gage, in which the establishment of committees of correspondence, and the compact entered into by the solemn league and covenant, were reprobated. The gentlemen of the county of Worcester also signed a protest against all riotous and seditious practices. The province of New-York, though not inclined to yield obedience to the regulations of the British parliament, was yet averse to become a party in that open opposition to it, which their northern neighbours had shewn, and preferred the milder expedient of stating their grievances to parliament in an humble address, which the majority of their house of representatives agreed to. No such means of reconciliation were sought by the province of Maryland, the people there vying with those of Boston in their unqualified resentment. The extensive province of Virginia was on very bad terms with Lord Dunmore, its Governor. That province first appointed a committee of correspondence, in order to propose to the other Colonies, that deputies from each should be appointed to meet annually, in general Congress, there to deliberate upon such measures as became necessary for the common interest of America.

Even the capital of Pennsylvania, a city whose very name denotes brotherly love and good-will, and which its benevolent founder ardently wished should ever prevail among the inhabitants, so far from declining to become a party in  
the

the contention with Great Britain, readily received delegates from each of the Colonies, the two Carolinas included, and which composed a general Congress, which first sat on the 5th of September, 1774. The colony of Georgia alone was unrepresented in this assembly. These deputies were chosen by the houses of representatives, from each of the twelve old Colonies: viz, New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, Jersey, Maryland, Virginia, Pennsylvania, the counties on the Delaware, North and South Carolina: the smaller of which sent two deputies, and the larger ones, seven. The whole number of delegates amounted to fifty-one. In this general assembly of the American states, each colony had no more than a single vote, whether its deputation was more or less numerous. So that a contrariety of opinion among the deputies from any particular province, if the majority was in favour of the measure, did not occasion a dissenting voice in the Congress. New Hampshire and Rhode Island sent two deputies each, New Jersey and Maryland four, Virginia six. The sense of any Colony could not be taken, if their deputation was equally divided in their opinions.

The first acts of this body were declaratory of the allegiance which the American states owed and acknowledged to their sovereign; of their affection to Great Britain, their dependence upon her, and of the benefits and favours which they had received from their parent state. In the most explicit terms they disclaimed any wish of becoming separated from and independent of Great Britain, but at the same time they declared themselves entitled to a participation of all the rights and privileges of British-born subjects. That the power lately assumed by parliament was  
unjust,

unjust, and the only cause of all the present uneasiness; that the late acts respecting the capital and province of Massachusetts Bay were unconstitutional, oppressive, and dangerous. These sentiments were expressed in a public act, which they called a declaration of rights; in which they kept close to the example set them by the third parliament in the reign of Charles the First. The specification of their rights is full and explicit, and was followed by an enumeration of their grievances. As the most effectual means to obtain a redress of which, the Congress recommended to the several Colonies to abide by those agreements which they had entered into, not to import or consume any British goods or merchandize, or any East-India teas, or the products of the British West-India islands, after the first day of December, 1774, from which time they would wholly discontinue the slave trade. There were many other articles recommended, but nothing was authoritatively enjoined.

Congress afterwards agreed to petition his Majesty; they likewise framed an address to the people of Great Britain, and another to the inhabitants of Quebec. In the petition they laid a variety of grievances before the throne, distinct from and independent of the present subject of dispute. The addresses were drawn up with great ingenuity and force of reasoning: the first was designed to shew, that the people of England had, in the last century, contended with their kings for the preservation of the same rights which the Americans were now deprived of by a British parliament. They insisted that the oppression was essentially the same, although the oppressors were changed. But not altogether relying on the efficacy of this appeal to the justice of the nation, the address endeavoured to gain it over to the cause of America, by representing that the certain consequences of unconditional submission being exacted from her, would  
be



be the subversion of the constitution of the mother-country, and the tyranny of an aristocracy being engrafted on that of the crown.

The address to the inhabitants of Quebec, aimed at persuading them, that they were cajoled out of those natural rights which had been secured to them at the last peace, by the insidious act which established the Romish religion in Canada. The principles laid down were supported by the authority of the greatest political writers of France, and these French Americans were invited to become parties in a league which equally concerned all.

Little else was transacted in this first session of the Congress, which was closed on the 26th of October following. These proceedings in America, which indicated the most determined opposition to the measures which had been adopted by the British legislature, being sufficiently known in England, the King met his new parliament\*. The first Lord of the Treasury entered upon his parliamentary campaign under circumstances of peculiar embarrassment. All the predictions which he had delivered concerning that submissive temper which would be produced by wholesome severity, were falsified, and no alternative remained but to plunge the nation into a civil war, or to degrade it by undoing whatever had been done. If in this situation the minister could console himself with the reflection, that he was neither the original framer of any one of those acts, nor their strenuous supporter in the cabinet; yet such a declaration would have availed him little in the House of Commons, against an active opposition, who, by shifting their ground, could attack him with equal advantage upon

\* November 30, 1774.

his unimportance in the cabinet, as his delusive expectations in the senate.

The speech from the throne was couched in as mild terms as the state of affairs would admit of, without renouncing the point contended for. It neither described the general defection of the Colonies, nor spoke of any one Colony, as being in a state of actual rebellion. Lord Beauchamp moved for the address, and expressed himself with some warmth on the conduct of the Americans. The disposition of the new parliament was quickly seen by the stile of the address which was presented in answer to the speech, and although opposition attempted to counteract the views of the ministry, by proposing an amendment, which gave rise to a long and spirited debate, yet upon a division of the house, their numbers appeared comparatively small\*.

But however ministry were proved to have been deceived in their expectations from America, yet the sudden dissolution of parliament became, from that very disappointment, the means by which they continued in power. Things were now brought to such a crisis, that a House of Commons, guided by the voice of the people, which in the concluding session of a parliament is essential to their immediate views, dared not to have proceeded upon a plan of coercion. It was indeed now generally understood, that the new modelling the form of government throughout North-America, and securing that continent to Great Britain, by introducing such regulations as might form habits of subordination and obedience, was the favourite objects of the Sovereign, and to propose the means by which such a renovation of loyalty might be effected, was the surest introduction to royal favour; notwithstanding which, the na-

tion was very much divided in opinion concerning the proper conduct to be observed towards America. Some were for coercion, because they hoped to derive a revenue therefrom, and the lowest plebeians, whom neither nature nor education had qualified to decide upon an intricate subject, thought themselves able to adjust this dispute, by only asking the plain question, "Why should not the Americans pay taxes as well as we?" National pride, as well as an idea of national interest, strongly enforced the same doctrine. Superadded to these considerations, motives neither national nor laudable, actuated not a few to foment the quarrel with America: such as the prospect of lucrative contracts or appointments, and a distribution of the confiscated estates of the American ringleaders. All these were powerful incentives to action; however, the contrary opinion was rescued from contempt, both by the numbers and the consequence of those who avowed it. The country gentlemen, although the pillars of prerogative, foresaw that the land-tax must be advanced to four shillings in the pound, as soon as the sword should be drawn; and although the omnipotence of Great Britain to enforce her laws was not doubted, yet whether a revenue could be drawn from America, should her submission be secured, appeared highly problematical. The commercial interest was yet more deeply affected by an open rupture. The Colonies stood indebted to the British merchants about four millions sterling, which, though a vast sum, was no more than the amount of a twelve month's commerce. This respectable body of men, not only saw themselves deprived of a most lucrative trade, but cut off from all hope of obtaining speedy payment of the sums due to them, and in danger of losing them for ever. A numerous body of manufacturers derived their only means of subsistence from the intercourse with the Colonies, and therefore considered the

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non-importation ageement which their consumers had entered into, as the greatest possible evil, and were anxious for a reconciliation upon any terms. Besides these classes of men, whose particular and immediate interests urged them to become strenuous advocates in the American cause, there were many people, who though influenced by no private or interested views, could neither see the justice nor expediency of compelling the Americans to absolute submission, and the operative principle of private interest among the bulk, gave an emergency and force to such speculative reasoning.

The meeting of parliament was the important moment for action ; the sense of the house had been taken as soon as it was assembled, and it had been found to be in perfect union with the former parliament ; so that the temper which dictated the resolutions of the cabinet, was likely to infuse itself into the legislative part of the constitution. The great question now was, whether British spirit should be opposed to American spirit ; whether bold, vigorous and judicious exertions should be immediately made to crush that opposition before it had gained strength, which it was found could not be terrified into acquiescence. In such a situation to temporize was to yield ; delay and irresolution added fuel to the flame : but in conducting this momentous business, the confidential servants of the crown shewed themselves better qualified for drawing the nation into hostile measures by secret and imperceptible steps, than at once to bear down opposition in both countries by the spirit and ability which were conspicuous in their plans. The nation was lulled into security by the number of seamen for the year 1775, being reduced to sixteen thousand men ; the land forces were also fixed at seventeen thousand five hundred



dred and forty-seven effective men, officers and invalids included, a smaller force than the preceding year\*.

Whilst administration seemed totally to have forgotten the state of affairs in America, addresses were presented both to the King and to the parliament from the city of London, and various parts of the kingdom, representing the dreadful consequences which the enforcement of the late rigorous acts would produce, and expressing an earnest desire that a reconciliation with America might take place. A petition from the merchants residing in London and trading to America, was presented to the House of Commons by Mr. Alderman Hayley: a similar one from Bristol, by Mr. Burke; the West-India merchants and planters also stated in a petition, how deeply they were concerned in this dispute, as the sugar islands not only drew a great part of their provisions from America, but were supplied with lumber from thence, for which they bartered their rum and sugars; so that an interruption of the intercourse between the British American continent and those islands, was likely not only to deprive the latter of the means of sending their produce to Europe, but to cause a great body of people to perish for want of sustenance. A Committee of the House of Commons was appointed, to whom these petitions were referred †.

In the mean time the petition from the American Congress to the King had been transmitted to London, but the agents appointed to present it, were informed, that his Majesty could not possibly receive any thing which came from that body, as such a step would be to acknowledge its legality.

On the 26th of January, 1775, Sir George Saville moved the House of Commons to present a petition from three

\* See page 152.

† Mr. Burke styled it a Committee of Oblivion.

American agents, viz. Messrs Bollan, Franklin and Lee, stating, that they were authorized by the American Congress, to present a petition of that assembly to the King, which petition his Majesty had referred to the house; the petitioners therefore desired to be heard at the bar in support of it, being as they said, able to throw great light on the subject. The granting of this prayer was strongly opposed for the same reason which excluded the petition from the throne, and it was thrown out by a majority of 218 to 68. As it was well known that the Americans had formed great expectations from this application, and the minister, only three days before, had assigned as a reason of the delay in proceeding on the American business, that such a petition was coming over, and that it was of so conciliatory a nature as to make way for healing and lenient measures, and for reconciling all matters in an amicable manner, such a conduct appeared somewhat paradoxical, and indicated that no kind of compromise could take place; at the same time, it might be plainly inferred that this austerity on the part of government was just then assumed.

Such being the temper which dictated measures, the application by the general assembly of the province of New-York to the House of Commons, was not permitted to lie upon the table. The city of New-York was the rival port to Boston: the Yorkists were as much distinguished by their love of gaiety and pleasure as the Bostonians were for their austere and rigid demeanour. A people so opposite in interests and habits, could only be compelled to unite through necessity, and hence the former were desirous of making their peace with Great Britain, upon terms, though they abhorred the idea of unconditional submission; but the ministry thought such a qualified allegiance not worth obtaining.

All negotiation being now at an end, Franklin soon after embarked for Boston, where he was received with every mark of respect and confidence\*. His unremitting exertions in the cause in which he was engaged, contributed essentially to its support and furtherance. The ministry, who well knew how dangerous an enemy this man was, had declared the northern Colonies to be in a state of actual rebellion before his departure: state-necessity therefore pointed out to them that he should be detained in England. Mr. Pitt, when he declared general warrants to be illegal, at the same time acknowledged that he himself had issued them upon great emergencies. The parliament which approved the measures pursuing against America, would most assuredly have indemnified both the advisers and executors of such a stretch of power as the detaining this man. Upon the same principle, it would have been a proper conduct in General Gage, to have prevented the conveyance of arms and ammunition out of the town of Boston, which were however carried off without question or molestation.

As soon as the House of Lords met after Christmas, the Earl of Dartmouth, then secretary of state, laid before it the official papers received from America, upon which occasion the Earl of Chatham inveighed with great spirit against the dilatoriness of administration, and moved "to address his Majesty to cause orders to be issued to General Gage, that he remove the forces from the town of Boston, as soon as the season of the year, and other circumstances, indispensable to the safety and accommodation of the troops, may render it practicable." He urged the necessity of such a step, as the means of opening a way for settling the dange-

\* On the departure of Franklin, Mr. Burke became agent for Massachusetts Bay.

rous troubles in America, by beginning to allay ferments and soften animosities there. He said an hour now lost might produce years of calamity, and pledged himself that he would not desert for a moment the conduct of this mighty business, from the first to the last, unless nailed to his bed by the extremity of sickness, but would knock at the door of a sleeping ministry, and rouse them to a sense of their imminent danger.

The times were greatly changed since this wonderful man, "moulded the attentive senate; charmed, persuaded, exalted;" and by the force of his matchless eloquence, annihilated all opposition. He now addressed an assembly, whose preconceived opinions were not to be shaken by the strongest arguments. He could now no longer gain upon his audience by touching their master-passion, and placing full in their view the advancement of their country's dignity and power. He now maintained a doctrine quite repugnant to the pride, the prejudice, and, as it was imagined, the interest of those who heard him. Wrapped in the contemplation of their own grandeur and irresistible strength, they considered all predictions of disgrace, humiliation and ruin, as the images of a sick fancy, the suggestions of a melancholy mormo; yet all these disadvantages did not deter this venerable statesman, whose "old experience had attained to "something like a prophetic strain," from predicting with great confidence, the consequences which would infallibly result, if the measures which had been adopted were persisted in. He described the situation of the troops at Boston as truly unworthy, being penned up, and pining in inglorious inactivity, he called them an army of impotence and contempt, and to make the folly equal to the disgrace, they were an army of irritation and vexation; "you irritate your Colonies to unappeasable rancour. It is not repealing this or



that act of parliament, it is not repealing a piece of parchment that can restore America to our bosom, we must repeal her fears and her resentments; and we may then hope for her love and gratitude. But now, insulted by an armed force posted at Boston, irritated with an hostile array before her eyes, her concessions, if they could be forced, would be suspicious and insecure; but it is more than evident, that you cannot force them, principled and united as they are, to your unworthy terms of submission—it is impossible. We shall be forced ultimately to retract, let us retract whilst we can do it with honour. These violent oppressive acts must be repealed. I pledge myself for it, that you will in the end repeal them. I stake my reputation on it. I will consent to be taken for an ideot, if they are not finally repealed. Avoid then this humiliating, this disgraceful necessity. With a dignity becoming your exalted situation, make the first advances to concord, to peace and happiness: for that is your true dignity, to act with prudence and with justice. Every motive therefore of justice and of policy, of dignity and of prudence, urges you to allay the ferment in America, by a removal of your troops from Boston; by a repeal of your acts of parliament, and by demonstration of amicable dispositions towards your Colonies. On the other hand, every danger and every hazard impend, to deter you from perseverance in your present ruinous measures. Foreign war hanging over your heads by a slight and brittle threat: France and Spain watching your conduct, and waiting for the maturity of your errors.”

The noble Earl concluded his animated harrangue in the following emphatical manner. “My Lords; if the ministers thus persevere in misadvising and misleading the King, I will not say that they can alienate the affections of his subjects from his crown; but I will affirm, that they  
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will make the crown not worth his wearing. I will not say that the King is betrayed, but I will pronounce that the kingdom is undone." The motion was rejected 68 to 18.

This motion made by the noble Earl, was only preparatory to a bill, which he had framed for the purpose of conciliation with America, which he proposed to the House on the 1st of February: it went to repeal all the acts which had been passed in the former session relative to America, in which were included the Quebec act, and another act which regulated the quartering of soldiers. It also went to repeal eight acts of parliament which had been passed in the present reign, from the fourth year thereof to the twelfth. It proposed to restrain the powers of the Admiralty and Vice Admiralty courts in America within their ancient limits, and to establish the trial by jury in all such civil cases in which it had been lately abolished; the Judges to hold their offices and salaries as the Judges in England, *quam diu se bene gesserint*. It declared the Colonies of America to be justly entitled to the privileges, franchises, and immunities granted by their several charters or constitutions, and that such charters ought not to be invaded or resumed, unless for *misuse* or some legal ground of forfeiture. This bill, although rejected by a large majority, was yet supported by a much more numerous minority than the motion which preceded it\*.

\* 68 to 31.—The peers who voted for Lord Chatham's plan of reconciliation, were the following, viz. Dukes of Cumberland, Richmond, Devonshire, Portland, Manchester, Newcastle, Marquis of Rockingham; Earls of Stamford, Abingdon, Effingham, Fitzwilliam, Temple, Radnor, Chatham, Scarborough, Cholmondeley, Stafford, Tankerville, Stanhope; Lords, Ponsonby, Littelton, Wycombe, Sondes, Milton, Camden, Abergavenny, Ferrers, Craven, Rumney, King, Fortescue.

This attempt to overturn all that government had done with regard to America, seemed to rouse administration from their lethargic stupor. The minister presented a message from his Majesty to the House of Commons, recommending an augmentation of the forces by sea and land, which being complied with, and 2000 additional seamen, and 4383 land forces voted\*, the house being resolved into a committee on the American papers, he moved † for leave to bring in a bill to restrain the trade and commerce of the provinces of New Hampshire and Massachusetts Bay, the Colonies of Connecticut, Rhode Island, and Providence Plantations in North America, to Great Britain, Ireland, and the British islands in the West-Indies, and to prohibit such Provinces and Colonies from carrying on any fishery on the Banks of Newfoundland, or other places therein mentioned, under certain conditions and for a limited time. Still the severity of punishment was confined to the northern Colonies‡, and the minister represented this restraining bill, as a just retaliation, for those Colonies refusing to trade with Great Britain. The fisheries both nourished the vigour and advanced the consequence of the New-Englanders; fisheries not only supplied multitudes of their own people with food, but trained a race of seamen as robust, hardy and undaunted, as any upon the globe. The vessels employed therein were privileged to dispose of their cargoes in any ports

\* In the debate on the augmentation of seamen, the Hon. Captain Robert Boyle Walsingham (who afterwards unhappily perished in the West-Indies) asserted, that France had 75 ships of the line; more than one half of which were at that time manned, and fit for actual service.

† Feb. 10, 1775.

‡ Another bill was passed during the session to restrain the trade and commerce of the middle and southern Colonies to Great Britain, Ireland, and the British islands in the West Indies.—The province of New York was not included in this restriction.

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south of Cape Finisterre ; so that the rigid disciples of John Calvin furnished the catholics of Portugal, Spain, and even of the Italian states, with their Lenten entertainment. The returns made in these voyages were brought to the ports of Great Britain, and became the payment for British manufactures, with which these ships were freighted home. To prohibit a commerce so extensive, and which employed several thousand Americans, was a bold step. It invested the Governor of each province, with such a power to discriminate between rebels and loyalists, as flesh and blood could scarcely be supposed capable of exercising disinterestedly and justly. It tended to convert into enemies a very powerful body of men, and no satisfactory proof was adduced that the fisheries could be carried on to an equal extent, and as effectually, from any of the ports of Great Britain or Ireland.

Whatever inconveniences the New England colonists endured from this prohibition, they found means, however, to repay the injury in kind upon the British fisheries at Newfoundland ; for, by withholding their wonted supplies of provision from them, all the distresses of famine were suffered for a considerable time, until they received a supply from Ireland, whereby exhausted life was repaired ; but the means of subsistence became from that time more precarious and less abundant.

The severity of this bill was disrelished by many friends to government, who had hitherto supported coercive measures towards America. In order therefore to quiet their scruples, the first Lord of the Treasury brought forward another American act, which bore a different complexion. This he professed to be a plan of reconciliation with the Colonies, and thereby to invite them to return with confidence to the arms of Great Britain. It enacted, that the Go-



vernor, Council, and Assembly of any Province or Colony, upon making provision according to their abilities for the common defence, which provision should be disposable by parliament, and for the support of the civil government and administration of justice in such Province, if such contribution shall be approved of by his Majesty in parliament, then Great Britain should forbear, in respect of such Colony, to levy any duties or taxes, such only excepted as may be expedient for the regulation of commerce ; and the net produce of such to be carried to the account of the Province so acting.

The minister acknowledged it to be very probable that these propositions might not be acceptable to the Americans in general, as they certainly did not go to all their claims. The resolutions were however just, humane, and wise, and those among the Americans who were just, humane, and wise, would, he believed, think them well worthy of their attention ; but whatever might be the fate of those measures, he felt that he had done his duty fairly and consistently. If it did no good there it would do good here, it would unite the people of England, by holding out to them a distinct object of revenue ; as it united England it would disunite America ; there it would tend to separate the grain from the chaff : whatever province came first to make a dutiful offer, would be kindly and gently treated ; and if but one Province accepted the offer, the whole confederacy would be broken, and that union which alone rendered them formidable, would be dissolved.

In every point of view this bill did not produce the effect expected from it, for it neither strengthened the hands of government at home, nor made proselytes in America.

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The great advantage on the side of government throughout this parliamentary struggle, was derived from its unanimity; whereas the opposition was composed of such discordant parts, as were not likely to unite firmly and strenuously in any one point, but in endeavouring to disconcert the present system of politics; so that whenever it became a question, what should be substituted in its stead? many adopted the sentiment of the Roman poet, *nullius in verba magistri*. Lord Chatham's plan was not cordially relished by many who wished a reconciliation with America, and indeed, independent of the particular views and private interests of the several leaders (a source of disagreement sufficiently fruitful) nothing could be more complicated than the business of adjusting a practical plan of reconciliation, which would meet the approbation of both countries, such as would cause their rising resentments to subside, their jarring interests no longer to clash, and the apprehension of future rivalry to be removed: this was so stupendous a work, as perhaps to surpass the powers of humanity, unsupported by the supreme authority of the state. It was however attempted (maugre royal patronage) by a man, in whom natural endowments, and acquired accomplishments, appear in their full lustre. Mr. Burke laid before the House of Commons, on the 22d of March, 1775, thirteen resolutions for conciliation with the Colonies. These he introduced, by a speech fraught with masterly eloquence, in which he displayed a thorough knowledge of the principles of action among mankind in a state of civil society, and of the proper political conduct resulting from such principles. He laid it down as an axiom, that we must govern America according to the true nature and peculiar circumstances of the people, and not according to our own imaginations; not according to abstract ideas of right, or mere general theories of government. He stated the rapid progress which  
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America had made in population, and in the commerce carried on with Great Britain. He asserted, that the Colonies in general owed little or nothing to any care of ours, and that they were not squeezed into their happy form, by the constraints of watchful and suspicious government, but that through a wise and salutary neglect, a generous nature had been suffered to take her own way to perfection. He assigned, as the causes from whence a fierce spirit of liberty had grown up in the Colonies, their origin—their form of government—the force of religious principles in the northern Colonies—of manners in the southern—of education—and of the remoteness of situation from the first mover of government. Under the head of education he observed, that perhaps in no country in the world, the law is made so general a study as in North America; insomuch as that it was said, nearly as many copies of Blackstone's Commentaries had been printed and sold in America as in England. This knowledge of law, some might say, ought to teach them more clearly the rights of legislature, their obligations to obedience, and the penalties of rebellion; but when great honours and great emoluments do not win over this knowledge to the service of the state, it is a formidable adversary to government. His reasoning, solid and irrefragable in itself, received all the embellishment which a fine imagination could bestow. In large bodies, said he, the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Egypt and Arabia and Curdistan, as he governs Thrace. Perhaps ideas of liberty might be desired more reconcileable with an arbitrary and boundless authority. Perhaps we might wish the Colonies to be persuaded, that their liberty is more secure when held in trust for them by us (as their guardians during a perpetual minority) than with any part of it in their

their own hands ; but the question is not whether their spirit deserves praise or blame.

This able legislator then proceeded to deliver it as his opinion, that there were but three ways of proceeding relative to this stubborn spirit which prevailed in the Colonies ; namely, to change that spirit as inconvenient, by removing the causes ; to prosecute it as criminal ; or to comply with it as necessary. One means of changing the spirit was, by taking measures to stop that spreading population which was so alarming to this country, by the crown making no further grants of land. But this, he said, would by no means answer the purpose, there being already so much unsettled land in private hands, as would afford scope for an immense future population, and the numerous bodies which could obtain no settled habitation, would become hordes of English Tartars, which would be in time formidable to the fixed residents. He called this project " hedging in population," and pronounced it to be neither prudent nor practicable.

A more direct way of breaking their spirit would be to impoverish them, by arresting the noble course of their marine enterprizes. This, he said, was no more than the old, and, as he thought, the exploded problem of tyranny, which proposes to beggar its subjects into submission. But nature still proceeds in her ordinary course, and discontent will increase with misery ; and there are critical moments in the fortune of all states, when they who are too weak to contribute to our prosperity, may be strong enough to complete our ruin. The temper and character which prevailed in the Colonies, he thought unalterable by any human art, neither the natural nor moral causes could be changed.

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As to the second mode of proceeding, to prosecute this spirit in its overt acts as criminal; he knew, he said, of no method of drawing up an indictment against a whole people; and in a quarrel among the component parts of a great political union of communities, nothing could be more completely imprudent, than for the head of the empire to insist, that if any privilege is pleaded against his will or his acts, that his whole authority is denied, instantly to proclaim rebellion, to beat to arms, and to put the offending provinces under the ban. Such conduct may teach the provinces, that the government against which a claim of liberty is tantamount to high-treason, is a government in which submission is equivalent to slavery. If then the removal of the causes of this spirit of American liberty, be for the greater part, or rather entirely, impracticable; if the ideas of criminal process be inapplicable, or if applicable, are in the highest degree inexpedient, what way yet remains? No way is open but the third and last, to comply with the American spirit as necessary, or, if you please, to submit to it as a necessary evil. It is not what a lawyer tells me I may do, but what humanity, reason, and justice tells me I ought to do. Of what avail are titles and arms, when the reason of the thing tells me, that the assertion of my title is the loss of my suit; and that I could do nothing but wound myself with the use of my own weapons? The general character and situation of a people must determine what sort of government is fitted for them.

He urged, with great force of reasoning, the conduct of the legislature in early times towards the kingdom of Ireland, the principality of Wales, and the county Palatine of Chester; and contended, that the same principles which actuated our ancestors in their conduct towards those countries should govern us in our treatment of America. " It

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was not," said he, " English arms, but the English constitution that conquered Ireland; it was the vital substance of free government in that kingdom." Wales, before it partook of those common rights, rode this kingdom like an *incubus*. That principality was an unprofitable and oppressive burden. Our ancestors at length found, that laws made against a whole nation, were not the most effectual methods for securing its obedience; Wales, therefore, in the reign of Henry the Eighth, became possessed of all the rights and privileges of English subjects. About the same time the county Palatine of Chester obtained the same relief, in consequence of a petition presented to the King, which set forth, " that for want of being represented in parliament, the inhabitants of that country had been oftentimes touched and grieved with acts and statutes made within the court of parliament, as well derogatory unto the most ancient jurisdictions, liberties and privileges of their county Palatine, as prejudicial to the common-wealth, quietness, rest, and peace of your Grace's most bounden subjects inhabiting within the same." Parliament, he observed, so far from being offended at the free style of this petition, made the expressions used therein, the very preamble to their act of redress, and consecrated its principle to all ages in the sanctuary of legislation. Thus was Chester, which had been little less distempered than Wales, cured by the same remedy, which demonstrates that freedom, and not servitude, is the cure of anarchy, as religion, and not atheism, is the true remedy for superstition\*.

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\* In the beginning of the next session Mr. Burke offered to the consideration of parliament another bill, which aimed at composing the troubles and quieting the minds of his Majesty's subjects in America. This plan of conciliation was founded on that important law passed in  
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The grand stimulus for coercive measures with America was, the full assurance which was entertained by many, that the Colonies would go farther. That with their increasing strength they would increase their discontents, until they disclaimed all subordination. Now although the idea of a perpetual minority might have been treated as a chimera, engendered by pride upon selfishness, yet our orator knew too well the disposition of his audience to combat that sentiment, he therefore passed over superficially a point, which it was dangerous to discuss fully.

The system of Colony government, which this able statesman had formed, was in every essential point anala-

the reign of Edward the First, known by the name of *Statutum de Tallagio non concedendo*. He shewed the similarity of the ancient disputes that arose between the kings and the people of England on the subject of taxation, to those now subsisting between the parliament and the natives of America; that the claim of sovereignty was the same in both instances, and the evils which were effectually removed by the statute *de tallagio*, corresponded exactly with those which his proposed bill was intended to remedy. That parliament had happily a precedent of the first authority to serve as a guide to their conduct. The kings of England formerly contended, that the crown, being charged with the public defence, must be furnished also with the means of providing for it. That it would be absurd to commit a trust into the hands of one person, and to leave the power of executing it to depend upon the will of another. But notwithstanding the force of this argument, and the allurements of the claim, one of the greatest and wisest of our monarchs, by an express and positive act, cut off from the sovereign power the right of taxing. To this concession, he said, in all human probability, the preservation of the other branches of the prerogative was owing. The law was absolutely silent about the right, and confined itself to give satisfaction in future, and has ever since been the foundation of the unity and happiness of England. This bill, tho' rejected, was supported by a larger number than any other proposal made by the minority respecting America, the number being 210 to 105.

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gous to that which had been framed by Lord Chatham. Each renounced the idea of America being represented in the British parliament. Mr. Burke's plan went to repealing only one of the eight acts of parliament proposed by the noble Earl in the other House, but with him it urged the necessity of repealing all the acts respecting America which had passed in the last session of Parliament, the Quebec act excepted; to regulate the Courts of Admiralty; and that the Judges should be paid by the assemblies, and hold their posts during good behaviour. The basis on which the whole fabric rested, was the mode by which a revenue should be raised. Mr. Burke proposed, that all grants or aids to Great Britain made by America, should be by resolutions in their general assemblies; the readiness of those assemblies, to grant an equitable supply for the exigencies of the state, he inferred from the free grants which they had at sundry times made of large subsidies, according to their abilities. All these resolutions were rejected by a great majority.

Mr. Burke appealed to the public, by printing his speech; the public read, admired, and forgot it. In short, posterity alone is qualified to decide upon the merits of a politician who attempts to reason down the pride of empire, and to persuade a warlike people to yield, when they imagine themselves able to dictate. No orator ever succeeded in a cause wherein it was impossible for him to engage some active passion of the human soul in his interest.

Whilst the important dispute with America caused warm debates in both houses of parliament, and greatly divided the nation, a variety of publications issued from the press, in some of which the conduct of government was defended with great zeal, and in others as warmly attacked, sometimes with argument, sometimes by ridicule, and not unfrequently with abuse. Indeed the liberty of the press prevailed



vailed in its full extent. The ministry, instead of punishing abusive writers, retained in their pay such as were very eminent for that qualification, it having been thought more serviceable to the cause of government to bear down scurrility by scurrility, than to prosecute delinquents in the courts of law. To restrain the licentiousness of the press used to be deemed necessary by ministers, but now a different kind of conduct is adopted; the abuse of the press is winked at, is even countenanced, and an useful purpose is answered to government thereby: the natural attachment which mankind feels to order and decorum, cause men of sense and influence to be disgusted at the abuse and illiberality which is poured out, and the forbearance of government is construed into moderation, when perhaps their own emissaries are the delinquents\*.

The most able and respectable advocate for government, was a writer who had spent a long course of years in literary pursuits, no less laborious to himself than beneficial to mankind, and who was at length, by the well-directed bounty of his Sovereign, rescued from those uneasy sensations, which must prey upon a man of genius, who is compelled to make writing a profession†. This gentleman had

\* In the early part of the reign of George the Second, the printer of the Craftsman was taken up for publishing two letters, which were written by lord Bolingbroke, in the first of which he passed great encomiums upon Edward the Third, interspersed with some oblique hints, which were construed into libels against the government: and in the second, he drew the character of Richard the Second, in a manner which was supposed to convey the same meaning; but the affair was suffered to die away. This will, however, serve to shew the great increase in the license of the press in the course of about forty years.

† Dr. Johnson feelingly describes such a situation, in the admirable preface which he has written to his Dictionary of the English language.

ever avowed his political sentiments, which led him to be strongly attached to the house of Stuart, and to treat with asperity the conduct of the legislature towards that family ; but he had at length, like many others who held the same principles, transferred his loyalty to the Brunswick line : it was therefore in the integrity of his heart that he undertook a defence of American taxation from the imputation of tyranny. In this piece he defended the doctrine of Colony subordination upon the principles of the law of nations ; maintained that the Colonists, by their situation, became possessed of such advantages as were more than equivalent to their right of voting for representatives in parliament : he ridiculed the distinction made between internal taxation and commercial regulations, and argued, that as the parliament may enact for America a law of capital punishment, it may therefore establish a mode and proportion of taxation.

This work was published about the time that Mr. Burke delivered his celebrated speech in the House of Commons. It is to the honour of human nature to have it remarked, that these two contemporaries, distinguished in the highest degree for the universality of their knowledge and learning, as well as for the elevation of their genius, who, notwithstanding they were strenuous supporters, from principle, of very opposite political sentiments, at the very time when these points were warmly discussed, and the zeal of the disputants frequently drew forth invective and fierce recrimination, yet lived in habits of strict friendship, and knew how to enjoy " the feast of reason and the flow of soul " amidst the tempest of civil contentions. A glorious triumph over those weaknesses which the human mind is too much susceptible of, even when under the government of a sound understanding !

Neither should the historian who records the transactions of these times, omit to take notice of the disinterested conduct of a young nobleman in this unhappy dispute. In all questions concerning the government of America which came before the House of Lords during this session of parliament, the Earl of Effingham strenuously opposed the measures adopted by the majority. Although the fortune which he inherited was not ample, yet his descent was as illustrious as any peer of Great Britain: one of the elder branches of his family commanded the English fleet that was opposed to the Spanish Armada in 1588, from which period a martial spirit prevailed in most of the descendants from this noble blood of the Howards. Like his father and grandfather he was bred to arms, and in his early manhood discovered a strong attachment to his profession. An earnest desire to become a practical soldier led him, when the war between Russia and the Porte broke out, to serve as a volunteer in the army of the former power. The re-establishment of peace restored his lordship to his country, when he gave a public testimony of his political principles, by signing the protest which was entered on the journals of the House of Lords, on passing the act for regulating the government of Massachusetts Bay\*. The twenty-second regiment of foot, in which he held a captain's commission, being at length ordered to America, he conceived his profession of a soldier no longer compatible with his duty as a citizen, he therefore wrote a letter of resignation to the secretary at war. "It is, said he, when addressing his peers, no small sacrifice which a man makes who gives up his profession, but it is a much greater, when a predilection strengthened by habit, has given him so strong an attachment to his profession as I feel; I have, however, this consolation, that by making the sacrifice, I at least give to my

\* See page 149.

country an unequivocal proof of the sincerity of my principles\*." The cities of London and Dublin voted their thanks to his lordship for this noble conduct.

The business of finance closed the session. The amount of the supplies for the year 1775 was 4,307,450*£*. and a million of three *per cent.* annuities was paid off at 88 *per cent*†. 1,250,000*£*. exchequer bills were discharged, and new ones to an equal amount issued. The land-tax was continued at three shillings in the pound, and the total of ways and means, exclusive of exchequer bills, but including the million of the national debt discharged, was 5,309,246*£*†.

\* Speech in the House of Lords, May 18, 1775.

† The Earl of Stair states, that the new debts contracted in the years 1774 & 1775, which were not funded, exceeded the debts discharged, by 274,870*£*. See his *Observations on the State of the Nation*.

‡ The expence of 18,000 seamen, building and repairing	<i>£</i> .
ships and ordinary of navy - - -	1,674,059
Ordinaries and extraordinaries of ordnance - - -	260,807
Army, amounting to 17,547 landmen and 4,383 invalids -	1,597,051
Miscellaneous services - - -	85,172
Further deficiency in the gold coin, extras of mint and further expence of coinage - - -	81,387
A deficiency upon land and malt - - -	451,000
Ditto of grants in 1774 - - -	112,528
Ditto fund, three and 1-half per cent, 1758 - - -	45,446
	<hr/> 4,307,450 <hr/>

The balance arising from the sinking fund to the 5th of January, 1775, was - - -	11,239
The quarter ending 5th of April - - -	884,447
The growing produce was appropriated to the amount of	1,904,313
Profit on a lottery - - -	150,000
The sale of the ceded islands at length yielded - - -	50,000
French prize money 17,000 <i>£</i> . and American revenue 15,000 <i>£</i> .	32,000
The surplus of ways and means was calculated at - - -	122,793



His Majesty put an end to the session on the 26th of May.

The contest between Great Britain and her Colonies was now unavoidably to be decided by the sword, and the attention of all Europe was drawn to a dispute so new in its nature and important in its consequences. The pre-eminence which this country had gained over all other states, could not be beheld, even by her allies, without some degree of envy, but to those powers in whom a prescriptive rivalry and ill-will subsisted, it was beheld with impatience. This rupture therefore was attended to with the most interested eagerness, and the wishes of all Europe, if we except some German principalities, may be said to have been favourable to the cause of America. The Baron de Montesquieu, whom the past age received as an oracle, and whom some living writers of our own nation \* consider as a fanciful politician, remarks, that "such powers as are established by commerce, may subsist for a long series of years in their humble condition, but their grandeur is of short duration. They rise by little and little, and in an imperceptible manner, for they do not perform any great exploit which may make a noise and signalize their power; but when they have once raised themselves to so exalted a pitch that it is impossible but all must see them, every one endeavours to deprive such a nation of an advantage which they had snatched as it were from the rest of the world." A desire of seeing a haughty nation humbled might therefore tend more to promote this disposition, than an attention to the merits of the cause†.

#### CHAP.

\* Dr. Johnson. Mr. Gibbon.

† An English gentleman who travelled with a young nobleman of high rank, being introduced to the King of Prussia at *Sans Souci*, that Prince entered into a conversation upon the state of affairs between Great Britain

## C H A P. II.

*Remarks on the prevailing Disposition of America—Action at Lexington—Second Session of the Congress—Action at Bunker's-Hill—Ticonderoga and Crownpoint subdued—Transport-vessels taken by the Americans—Meeting of Parliament—Vast Army voted—Bill of Indemnity brought in—Sentiments delivered concerning the Prerogatives of the Crown—Petition from the Province of Nova Scotia—Prohibitory Act—Treaties with German Princes—Troops drawn from Ireland—Animadversion on the Measure in the House of Commons—Act for the Employment of foreign Seamen in the Navy and Merchants Service—State of Opposition and the Objects of its pursuit during the Session—Finances for 1776.*

**I**N this state of the American dispute, we would wish to be indulged in making two remarks. The parliamentary regulations which had been made for the govern-

Britain and her Colonies. He observed, that it was a difficult thing to govern men by force at such a distance: that if the Americans should be beaten, (which appeared a little problematical) still it would be next to impossible to continue to draw from them a revenue by taxation—that if we intended conciliation with America, some of our measures were too rough; and if we intended its subjection they were too gentle. He concluded, by saying, *Enfin Messieurs, je ne comprends pas ces choses là; je nai point de colonie: j'espère que vous vous tirerez bien d'affaire, mais elle me paroît un peu épineuse.*

The same writer informs us, that at the court of Vienna, in general they favoured America, but shewed more moderation than in other parts of the continent. The Emperor, when some person asked him which side he favoured, replied very ingeniously, *Je suis par metier royaliste.* *Moore's Travels, Vol. II. p. 242 and 436.* See also *Wraxal's Travels*, for the sentiments of the Swedes upon this subject.

ment of Massachusset's Bay, in the beginning of the year 1774, not having been carried into effect, from the violent opposition shewn to that plan of government; and the civil institutions which their charter had established, being thereby abrogated, all the functions of legal authority were immediately suspended. No governor presided, no council assembled, no judges interpreted the law, no inferior officers exacted an observance of it. In such a state of anarchy, it was to be expected that the persons and property of individuals would be exposed to the depredations of lawless miscreants, who are to be found in greater or less numbers in every state, who by their crimes disgrace humanity, disturb the peace of society, and draw down the severity of the laws. But though the suspension of magistracy gave the needy and unprincipled a licence to do what was right in their own eyes, every one remained safe and unmolested. This Colony had ever been characterized for an intollerant spirit in religion, and now stood accused of rebellion against the parent state, but its manners seem to have remained uncorrupted, insomuch that in the course of eighteen years, it is said, that only one criminal has been executed in the province. However we may abhor traitors, we cannot but admire such unexampled internal decorum !

Although defection had now spread over the American continent, yet two descriptions of men might have been expected to withstand the general contagion, at least utterly to renounce the idea of taking up arms against Great Britain, namely, the quakers from principles of religion; and such military men who were natives of the British isles, but who had settled in America at the conclusion of the last war in considerable numbers : but the contrary proved to be the fact. Many of the younger quakers in Philadelphia formed themselves into volunteer companies, and the British  
officers

officers forgetting that doctrine of submission and subordination which they had imbibed with their tactics, took an active part with the Americans, and rendered the most essential service to their cause, by forming their husbandmen into soldiers.

Congress now sought to procure arms and ammunition for the insurgents, and as a royal proclamation had been issued, prohibiting the exportation of such articles from Britain, the public magazines were forcibly seized upon in many places. Mills were constructed and manufactures established in Pennsylvania and Virginia, for making gunpowder, and American vessels visited the several European ports from Cadiz even to Hamburgh. This activity was unremitted, whilst the antipathy which subsisted between the King's troops at Boston and the provincials, was daily increasing, and foreboded speedy hostilities. Occasions for skirmishes were frequent, but the Americans pretend, that they cautiously avoided committing the first act of open hostility. They considered themselves as justified in taking up arms, for the purpose of self defence, but disclaimed all design of attacking the King's troops. Whilst they observed this distinction, they contended, that according to the English constitution, they were not in a state of rebellion, or levying war against the King\*. Which side was the first aggressor in the affair at Lexington†, (where a detachment of regulars attempting to seize some cannon and ammunition, a sharp engagement ensued) every man will decide upon according to his political attachments, for both parties disclaim it. However, this action in its

\* Sir William Blackstone says, that " in cases of national oppression, the nation has very justifiably risen, as one man, to vindicate the original compact between the King and the people. *Commentaries*, Book IV. Chap. VI.

† April 19, 1775.



consequences tended to beat up all America to arms; Congress being soon after reassembled, (notwithstanding the American secretary had written circular letters to each Colony, forbidding it in the king's name, and under pain of his displeasure, to elect deputies for the next general Congress) now began to assume the executive powers of government, and appointed Mr. George Washington, (a native of Virginia, and possessed of landed property there to the amount of 5000l. per annum) commander in chief of their forces. This gentleman had been trained to arms from his youth; but few opportunities had occurred in which he could gain military renown. His first exploit in arms, about the year 1754, proved unfortunate, but not disgraceful. The Americans esteemed the man, because they believed him to be as much distinguished by his personal virtues and talents, as by his fortune.

Twenty thousand Provincials in arms now hemmed in the king's troops at Boston, and although large reinforcements from England and Ireland arrived about this time, with which came the Generals Howe, Burgoyne and Clinton, yet it was found impossible to extricate the army from this disgraceful blockade. The daring attempt of a party of Americans, headed by a Dr. Warren, to fortify an eminence which commanded the town, brought on the fierce and fatal action of Bunker's-hill, where victory was dearly bought, with the lives of many veteran officers \*. General Howe, who led the attack, was almost the only officer who remained unhurt, although in the hottest of the action, and with numbers continually falling beside him. The British troops, trained to discipline and inured to service, twice retreated before a body of peasants, who then, for the first time, faced an enemy. The undaunted courage of the General, which was well seconded by his officers,

\* June 17, 1775.

retrieved the fortune of the day. Warren, the American leader, was killed in the action. Charlestown, which stood on the northern peninsula, at the entrance of Boston-bay, and consisted of about 400 houses, was unfortunately reduced to ashes. The manner in which this post was attacked has been much censured: had the troops been landed on the isthmus, near the town of Cambridge, the American works, it has been said, might have been more easily forced, and their retreat effectually cut off: but Putnam lay with a considerable force at a small distance, which probably determined the general against this mode of attack. On the other hand, the American general is equally censured for not marching his men to support the party on Bunker's Hill,

The important forts of Ticonderoga and Crownpoint, the former of which, when possessed by the French, had withstood the attack of a large army, were now surprized and taken by a body of American volunteers, formed in the back settlements, and commanded by a Colonel Easton, and a Colonel Ethan Allen; but it does not appear that either of these partisans acted under commissions from Congress.

It now became necessary for Congress to provide the means of paying the troops which were raised, and to defray the other expences of the war; and as no specie could be obtained, the little which was in circulation, being immediately secreted upon the breaking out of the troubles, no other resource was left but to issue a large paper currency, for the redemption of which the delegates of each Province in Congress bound their constituents. Such a mode of providing for the exigencies of the times, required that a general confidence should be placed in the security: public spirit

spirit will often lead men to risk their persons rather than their property, besides the easiness with which these notes could be imitated, exposed the new states to great inconveniencies from forgeries.

The title of "The United Colonies of America," was then assumed, the Congress declared, that the compact between the legislature of Great Britain, and the people of Massachusetts's Bay was dissolved, by the violation of the charter of William and Mary on the part of England, and therefore recommended to the inhabitants of that province to elect proper officers of state, agreeable to the powers which they possessed by their charter. Hancock, a Bostonian of great wealth and influence, was chosen President of the Congress, whilst a proclamation by General Gage excepted him and Samuel Adams from that general offer of pardon which was made to all others. The feeble colony of Georgia soon after joined the confederacy, and sent five deputies to Congress, upon which the name of the Thirteen United Colonies of America was assumed.

Notwithstanding the Americans appeared thus formidable, yet they were actually very ill provided with arms and ammunition \*, whilst the most ample supplies were shipped in England for the use of the British army; but the transports being sent out unarmed, and happening to be separated from their convoy by a gale of wind on the American coast, many of them were captured by the Provincial cruizers, without being able to make any defence. So large a supply thus easily obtained, was a most important acqui-

\* It is asserted, that there had been a time when the American army was so destitute of military stores, as not to have powder enough in all their magazines to furnish more than five rounds a man for their small arms, without any supply for their great guns.

sition to the Colonies. It was not to have been imagined, that by such an act of negligence Great Britain should provide her revolted subjects with the means of becoming formidable. In times less courteous than the present, so flagrant a breach of duty, productive of such consequences, would have occasioned a rigorous parliamentary enquiry to have pursued the delinquents.

The endeavours to furnish the army with fresh provisions and necessaries during the severity of a North American winter, were equally frustrated, by the injudicious manner in which they were exerted; for though 5000 oxen and 14,000 sheep, with a vast number of hogs, were put on board transports, with vegetables of all kinds, and in vast abundance\*; 10,000 butts of beer distributed among this fleet, and 5000 chaldron of coals, yet the fleet sailed so late in the season, and was so buffeted by adverse winds, that most of the live stock perished in the voyage, and many of the transports were forced on the American coast and taken.

The two houses of parliament assembled on the 26th of October, 1775. The speech from the throne spoke of the revolt, hostility, and rebellion of America; of certain persons in the Colonies having raised troops, collected a naval force, seized the public revenue, and assumed to themselves legislative, executive, and judicial powers, which they exercised in the most arbitrary manner over the persons and properties of their fellow-subjects. It spoke of the disposition of parliament during the last session, as wishing rather to reclaim than to subdue. His Majesty expressed his

\* The charge of vegetables, casks, and vinegar, amounted to upwards of 20,000*l*. Hay, oats, and beans for a single regiment of cavalry amounted to nearly as much.



anxiety to prevent, if it had been possible, the effusion of the blood of his subjects, and the calamities which are inseparable from a state of war, still hoping that his people in America would have discerned the traitorous views of their leaders, and have been convinced, that to be a subject of Great Britain, with all its consequences, is to be the freest member of any civil society in the known world. It spoke of friendly offers which had been made of foreign assistance, and of having sent to Gibraltar and Port Mahon, Hanoverian troops to replace such British regiments as should be drawn from thence for the American service. It spoke of burdens which must be inevitably laid on the people in consequence of this rebellion, and of the pacific disposition of European powers.

The manner in which the address was carried in both houses, shewed that ministry still possessed a vast majority, although some individuals had deserted their standard; the Duke of Grafton, in this day's debate, went over from the cause of administration, together with a very eloquent and able prelate \*. A protest, signed by nineteen peers, was entered in the journals against the address, which was, as usual, expressive of the most entire concurrence in the sentiments and conduct described in the speech.

Soon after, the Duke of Grafton resigned the privy seal, which was delivered to the Earl of Dartmouth, and Lord George Germaine succeeded the Earl in the secretaryship for the American department. This nobleman, descended from the noble race of Sackville, Dukes of Dorset, and uncle to the present Duke, had supported the stamp act under Mr. Grenville's administration, and now exerted his abilities to enforce American taxation. His person tall

\* Dr. Hinchcliffe.

and dignified, added force to a manly elocution : his harangues were rather argumentative than florid : without resorting to the artificial graces of oratory, he addressed the judgment ; constantly confining himself to the subject under debate, he was concise ; and as he never rose to speak but upon a weighty question, he was heard with attention, and spoke with effect. By him the operations of the war are supposed to have been generally planned, and to him their superintendency was principally intrusted.

The Earl of Rochford retired, and was succeeded by Lord Weymouth in his office of secretary of state for the Southern department, who had continued out of administration since the negotiation with Spain respecting Falkland's islands. The young Lord Lyttelton, who had severely reprobated the measures of administration on the first day of the session, was appointed a privy counsellor, and chief justice in Eyre, beyond Trent. Government hereby gained the two most florid and ready speakers in the House of Peers ; an essential acquisition when such arduous enterprises were to be undertaken.

The number of men to be employed in the sea and land service for the year 1776, bespoke great designs ; 28,000 seamen, including marines, and 55,000 men for the land service were voted \*. The sending foreign troops, without the authority of parliament, to Gibraltar and Minorca, was

\* Franklin, writing to a friend says, " Britain, at the expence of three millions, has killed 150 Yankees this campaign, which is 20,000l. a head: and at Bunker's Hill she gained a mile of ground, half of which she lost again, by our taking post on Ploughed Hill. During the same Time 60,000 children have been born in America ; from these data may easily be calculated the time and expence necessary to kill us all, and conquer the whole territory.—*Political, Miscellaneous, and Philosophical Pieces, page 365.*

a measure

a measure which many friends to administration thought illegal and reprehensible. It was considered as directly repugnant both to the letter and spirit of the bill of rights, which declares, that a King of Great Britain shall not bring foreign troops into any part of the empire, in time of peace, without the concurrence of parliament; in order therefore both to bear harmless the minister who advised this measure, and to secure the constitution from violation, a bill of indemnity was proposed to be brought into parliament. The first Lord of the Treasury declared himself perfectly satisfied with the legality of the proceeding, and thought any act of indemnity unnecessary. This doctrine was maintained by the crown lawyers. It was contended that these possessions were not a part of Great-Britain, neither were the troops sent there in a time of peace. In discussing this business, a doctrine was advanced by the Secretary at War, and the Solicitor General \*, which seemed to subvert the very foundations of the constitution: they contended, that the bill of rights was only declaratory of ancient usage: that it was an indispensable prerogative inherent in the crown, to raise an army, and keep it on foot either in time of war or peace; and that parliament had no legal means of controlling such a measure, but by withholding the supplies necessary for its support. That the particular right of the crown to put garrisons into the several fortresses, both within the kingdom and beyond sea, was never controverted or denied in times of the greatest popular licentiousness. The garrisons maintained in Berwick, Newcastle, the Marches, in Portsmouth, and the Cinque Ports, were produced as proofs of this. The garrisons kept in Calais for more than two centuries, and in Tangier during the greater part of the reign

\* Mr. Wedderburne.

of Charles II. were urged in proof of that prerogative being exercised beyond the sea. On this ground, say they, stood the King's prerogative until the revolution, and the usage since that period was the most decisive evidence and confirmation of the inherent right now contended for. George I. in the second year of his reign, brought over a body of Dutch troops without consulting parliament. In the year 1719 similar orders were issued, when an invasion from Spain was apprehended. The same practice took place during the rebellion in 1745, and in the year 1756 a body of Hessians and Hanoverians were brought into the kingdom, without any parliamentary sanction whatever\*. If such principles are admitted, the boasted liberties of Englishmen have no other tenure than the courtesy of the Sovereign. If it is the prerogative of the crown to raise troops, or introduce foreigners without any restriction; the power thereby acquired may compel a provision for their payment, should it be withheld. The prætorian bands soon rendered the Roman senate a mere appendage of power, and an army surrounding the House of Commons, might once more degrade the speaker's mace into a bauble.

\* It might have been urged, that the declaration of rights †, exhibits as one of the twelve charges against King James the Second, " that he raised and kept a standing army within the kingdom in time of peace, without consent of parliament;" and in the subsequent declaratory part, it expressly pronounces such a conduct to be against law. The preamble to every mutiny bill speaks the same language. The instances produced of the introduction of foreign troops into the kingdom, were by no means similar to that under discussion, as on each occasion the crown acted either by virtue of the treaties of guarantee with the Dutch, or by another treaty entered into in 1702, both of which had received the sanction of parliament.

† 2 William and Mary, cap. 2.

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Ever since the accession of the House of Hanover, the cry had been against a standing army, and a politician of great sagacity, whose writings are now held in the highest estimation, calls a standing army "a mortal distemper in the British constitution, of which it must inevitably perish\*." If parliament was convinced of the propriety of sending foreign troops to garrison our possessions in the Mediterranean, still a bill of indemnity seemed necessary, if it was only to secure to that part of the legislature their right of deciding upon such a measure; but when men of great weight and consequence openly avowed a different sentiment, and declared principles repugnant to the spirit of liberty, and subversive of the constitution as settled at the revolution, it might have been expected to have given a general alarm, and to have drawn the attention of the house from the proper business under debate, to the adjusting of a concern of such magnitude. In this view it appears to have been a national question equally important to this country, as that which was lighting up a civil war in America was to the Colonies. In both, the matter immediately in issue, was not very momentous, but their importance lay in their consequences, and the abuse which might be made of such precedents hereafter. The apprehensions of one country caused the people to resort to arms: on the other, they gave birth to a mock indemnity-bill in the House of Commons, which perished in the House of Lords. A jealousy of the powers of the crown is not the characteristic of the present age.

At the opening of the session, a petition was presented to each House of Parliament from the assembly of Nova Scotia, in consequence of Lord North's conciliatory propositions, and was intended by those who promoted it in that Colony,

\* Hume's Essays.

as a pattern and precedent for the rest. It proposed to grant to his Majesty in perpetuity, a duty of poundage *ad valorem*, upon all commodities imported into that province, not being the produce of the British dominions in Europe or America, bay salt excepted, by which means the amount of the revenue would regularly keep pace with the wealth and consumption of the Province. The ministers supported this proposition as fit to be accepted, and suggested to the House, that the amount of such duties should be eight per cent. on all such commodities. He thought such an example extremely inviting to the other Colonies; and although the poverty of Nova Scotia would render the revenue drawn from such regulations very small, yet by shewing the moderation of this country, it would encourage more opulent Colonies to make similar applications, and thereby break the confederacy which was formed. In consequence hereof the House came to a resolution, that as soon as an act should be passed by the general assembly of the province of Nova Scotia, to establish this rate of duty, and his Majesty should have given his royal approbation thereof, all duties and taxes laid by any act of parliament in force, ought to cease and be discontinued; and so long as such act of assembly should continue in force, no other duties or taxes ought to be imposed by parliament within that province, except such as may be expedient for the regulation of commerce. The nett produce of which was to be carried to the account of the province. It also permitted the importation of wines, oranges, lemons, and other produce of Spain and Portugal, directly from the place of their growth.

The principal objection raised to this plan was, that the revenue heretofore drawn from the provinces, every part of which, except the tea duty, had been submitted to and quietly paid, was more productive than the new duties pro-

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posed

posed in lieu of them would be, in case this regulation was generally adopted. Neither did it appear likely that the more opulent Colonies should follow the example of a district which ever had been a considerable expence to government, and continued to require a yearly grant from parliament for its support.

Whether the ministry in prosecuting this measure saw the inefficacy of its tendency, or that an over-ruling power about this time had gained an ascendancy in the cabinet, nothing more was heard of the Nova Scotia petition after it had passed the committee. Indeed the only thing which had procured it the countenance of government, was its conformity to that mode of taxation which the minister had prescribed; for even the inhabitants of this poor and dependent spot, dared to exhibit a long catalogue of grievances, although living in the habitual subjection to a military force.

Still pursuing the idea of exacting obedience from the Colonies, by interdicting their trade, which had produced so many restrictive acts, the minister brought in a bill to prohibit all trade and intercourse with the Thirteen United Colonies in America. It authorized the commanders of his Majesty's ships of war, to make prize of ships or goods belonging to Americans, whether found on the high seas or in harbour, and vested the property in the captors. A clause was inserted, by which all Americans who should be taken on board the vessels belonging to that continent, were made liable to serve indiscriminately, without distinction of persons, as common sailors on board our ships of war, at the discretion of the commanding officer of the King's ship. Such Americans were to be entered on the ships books, and considered as volunteers. And those prisoners

soners who were not so entered, were to be set on shore in any port in Great Britain or Ireland, or in any port of America not in rebellion, where they were to be at full liberty. As this prohibitory bill comprehended every species of the American commerce and employment upon the seas, along the coast of the confederated states, all the former acts which affected any particular port, or any branch of commerce were repealed, in which the Boston port and the fishery bills were included. This general proscription was followed by terms of pardon and reconciliation being held out to the revolted, by appointing commissioners, and vesting them with power to grant pardons to individuals, to enquire into general and particular grievances; to determine whether any part or the whole of a Colony were returned to obedience, and were thereby entitled to be received into the King's peace and protection; which being declared by the commissioners, the prohibitions laid by this bill were to cease \*.

A petition was presented to the House of Commons from the West India planters and merchants, representing the distress which this act would bring on the sugar islands, and council was heard in support of it; but though a clause was proposed, which tended to lessen the rigour of forfeitures of ships and goods belonging to the islands, and to allow a farther time for their quitting the American ports, yet it was rejected. Governor Johnstone strenuously endeavoured to obtain an exemption for the Province of Georgia, as no evidence of its delinquency had been given, except in sending deputies to Congress; it had been guilty of no act of violence or hostility, had not opposed the laws, attacked the King's troops, oppressed his loyal subjects, or com-

\* It was brought into the House of Commons the 20th of November, and passed that House December 11, 1775.



mitted any of those crimes which were enumerated in the preamble of the bill. The sense of the House was against this exemption \*.

Much opposition was made to this act in both Houses of Parliament; it was said to be a formal abdication of our government over the Colonies, and ought to be entitled, "A bill for carrying more effectually into execution the resolves of the Congress." That it would complete, what yet remained to be completed, of union in America against the authority of parliament, as the friends of government in that country, the numbers and power of which have been the boast of government, will be convinced, that parliament may distress, but is either unable or unwilling to protect. It would therefore drive the Americans into an alliance with some foreign power, and oblige them to convert their merchant-ships into privateers, to the destruction of our West India trade, on which accounts it was objected to as inexpedient. It was likewise opposed as unjust, because it authorized an indiscriminate seizure and confiscation of the vessels and cargoes of our subjects in that country, whether friends or foes; whether turbulent, disloyal and rebellious; or peaceable, dutiful and obedient.

To compel both the American officers and seamen to serve in our ships of war was condemned as a refinement in tyranny. The situation of such men was described as the last degree of wretchedness and indignity to which human nature can be subjected. A man despoiled of his goods as a foreign enemy, cannot be obliged to serve the state as a citizen. It was predicted, that whatever might be the

\* The bill passed by a majority of 112 to only 16.

event of the contest, the Colonies would, to every substantial and beneficial purpose, be for ever lost to this country. The appointment of commissioners was objected to on various grounds. It was asked, why offer pardon to men who acknowledge no crime? The discretionary powers granted to the commissioners were represented as too great to be entrusted to any set of men in a free government. It gave them a despotic and uncontrollable power which the crown itself did not possess; but at the same time subjecting their acts to the revision of Parliament, deprived the Americans of all trust and security if they were disposed to treat, for whilst the commissioners were authorized to grant pardons to individuals and communities, they could not engage for a single specific condition or concession, as a basis for future conciliation, therefore the only consequence of their appointment would be the incurring a heavy and unnecessary expence to the nation, for the express purpose of sending them might as well be answered on the spot, without any parade, trouble, or expence whatever.

In defence of the bill it was said, that the Americans were already in a state of warfare with us, which made it necessary that we should make war upon them by sea and land, in the same manner as against alien enemies. It was impossible to discriminate between friends and foes. Every Colony or smaller district had it in its power to accept of the conciliatory terms which would be offered by the commissioners. It had only to acknowledge the legislative supremacy of Great Britain, if unwilling to submit to that, by contributing voluntarily towards the support of government, it would become one of the parts of the empire, and entitle itself to the protection of the whole. A Colony so demeaning itself would suffer no severity or hardship. In defence of the clause which gave a power to the commanders

manders of King's ships to enter their American prisoners on the books, it was said, that instead of being punished as rebels, they immediately received pay, which would be a means of quieting their scruples as to the cause in which they would be engaged. The necessity of this bill was urged, as no existing law had foreseen, or provided for the case, of carrying on a sea war against rebels\*.

This important bill being carried into a law before the Christmas recess, the minister had nothing farther to propose to Parliament respecting America until the business of the supplies came forward. He then laid before the House† the treaties which his Majesty had entered into with German Princes for troops to serve in America. These were, with the reigning Duke of Brunswick (signed Jan. 3, 1776); with the Landgrave of Hesse-Cassel (Jan. 15); and the Hereditary Prince of Hesse-Cassel (Feb. 5). By the first, a body of troops, amounting to 3964 men, was yielded by the Duke of Brunswick to the King of Great Britain, to be entirely at his disposal, as well in Europe as in America; also a body of light cavalry of 336 men, which were to be dismounted, and serve as infantry; but if the service requires them to be mounted, the King is to do it at his own expence. The necessary annual recruits to be disciplined and equipped by his Serene Highness. Three disabled men to be reckoned as one killed: a man killed to be paid for at the rate of levy-money, which was settled at seven pounds four shillings and four-pence per head. If it should happen that any of the regiments, battalions, or companies, should suffer a loss altogether extraordinary, either in a battle, or

\* A long protest was entered in the House of Lords against this bill, signed by eight peers.

† Feb. 29, 1776.

siege, or by an uncommon contagious malady, or the loss of any transport-vessel in the voyage to America, his Britannic Majesty to make good the loss, in the most equitable manner, and to be at the expence of the necessary recruits to re-establish the corps that shall suffer this extraordinary loss. The treaty further stipulated, that the Commander in Chief of the army should be directed not to exact of these Brunswickers any extraordinary service, or such as are beyond their proportion with the rest of the army. These troops to take the oath of fidelity to the King of Great Britain, without prejudice to the oath which they have taken to their Sovereign, and they were to receive the ordinary and extraordinary pay, as well as all advantages of forage and provision, enjoyed by the Royal troops. Two months pay was to be advanced previous to the march of the troops, the King of Great Britain to be at the expence of their march and transport. For the use of this army, an annual subsidy was to be paid of 64,500 German crowns, (15,519*l.* sterling) as long as these troops should enjoy their pay, and when that should cease, the subsidy should be doubled, and so continue during two years, after the return of the troops into his Serene Highness's dominions. The amount of levy-money was 29,481*l.* sterling, and the total of the heads for which levy-money was to be paid, amounted to 4084.

By the treaty with the Landgrave of Hesse Cassel, 12,000 men were taken into British pay: their levy-money the same as the Brunswickers, but the subsidy double, being 450,000 crowns banco per annum, or 108,281*l.* sterling, during the times that the troops are in British pay, and the King of Great Britain is to give notice to the Landgrave of its termination twelve months before it shall take place, and such notice is not to be given before the troops are returned, and actually arrived at Hesse. It was stipulated, that this



body of troops should not be separated, unless reasons of war required it, but should remain under the orders of the General, to whom his most Serene Highness had entrusted the command. The Landgrave retained the power of recalling his troops at the expiration of four years, if they were not sent back before that time, or then to agree for another term.

The treaty with the Hereditary Prince of Hesse was for 668 men, being a regiment of foot, for which an annual subsidy of 25,050 crowns, 6,07*l.* sterling was to be paid. The number of foreign troops taken into British pay, by virtue of these treaties, amounted to 16,968 men.

The minister defended the treaties as absolutely necessary, in order to bring America to obedience. He said, notwithstanding in England the bounty had been raised, and the standard of height had been lowered, yet recruits were not to be had upon any terms; besides, in order to put a speedy end to the present troubles, it was necessary to employ veteran troops, who being habituated to discipline and service, would be regular and orderly in their cantonments as well as formidable in the field. These auxiliaries were said to have been obtained substantially on the same terms as in former times. By engaging foreigners, we avoided a heavy half-pay list when the service was over, and kept our men at home for the purposes of husbandry and manufactures; and in all probability, so great a force would have little more to do than to shew itself and return. "I believe," said the minister, "there is no person in this House who is not firmly persuaded, that the whole united strength of America will not be able to oppose the force which is meant to be sent out early in the spring. I have the strongest and most confident hopes, that America will submit as soon as  
the

she is convinced that Great Britain is determined to act with resolution and vigour." It was acknowledged, however, that if the war should be protracted beyond two campaigns, the treaties must, from their nature, become disadvantageous; but this was said to be so totally improbable as not to merit consideration.

Notwithstanding the treaties were ratified by a great majority in the House of Commons\*, and afterwards in the House of Lords†, yet they met with strong opposition in both Houses: The principal objections made to the conditions of the treaties were, that the troops entered into pay before they began to march; the sum paid for levy-money was complained of as exorbitant, superadded to which each Prince was to be subsidized, and the largest contributor of forces had obtained a double subsidy. Their dominions likewise were guaranteed from foreign attack. That the King of Great Britain was empowered to employ them in Europe as well as in America, was likewise censured, as well as, that the commanding officer of the Hessians should have the entire authority over that body of troops. It was insisted, that the whole force agreed for, would cost the nation the first year, when all contingent expences were included, a million and an half sterling: an expence not to be paralleled in the history of mankind, for the service of an equal number of men.

The measure at large was reprobated, not only as inhuman and savage to send foreign mercenaries to murder and ravage our own subjects, but as dangerous to our interests; for these foreigners, thus forced by the orders of their Princes, to become parties in a quarrel in which they had no in-

\* 242 to 88,

† 100 to 32.

trinsic concern, allured by the prospect of ease and plenty, which settling in America held out to them, would desert in great numbers. It was denied that this force, great as it was, would subdue America, and it was setting the Colonies an example of making foreign alliances to strengthen themselves against the foreign force which we had called in aid. The ministry repelled these arguments, by asking, are we to sit still, and suffer an independent hostile empire to arise out of an unprovoked rebellion? Are we tamely to suffer the trade of the American Colonies, the object of so much care, attention and expence, of so many laws and so many wars, to be given away to foreigners, merely from a scruple of employing foreign forces? The Americans, by their revolt, have, in fact, made themselves foreigners: can they then complain that foreigners are employed against them? However well disposed the Americans might be to retaliate, they would hardly find any European power so blind to their true interest as to make a league with them, or indeed give them any sort of countenance: but admitting, for a moment, that the advantages to be derived from a free trade with America, and a desire to sink the consequence of this country, should incline a rival power to assist the Colonies, the argument for vigorous measures is equally strong, for to prevent such consequences, we ought to crush this infant rebellion with every kind of force that we can collect, before our rivals and enemies can avail themselves of our situation.

The House agreed to a motion made by Colonel Barré, that an humble address be presented to his Majesty, praying him to use his interest, that the German troops in British pay, now or hereafter, may be clothed with the manufactures of this country.

Besides

Besides these foreign levies, the Earl of Harcourt, Lord-Lieutenant of Ireland, obtained 4000 troops from that kingdom, which was one third of the forces kept there for its defence. An offer was at the same time made to replace these with an equal number of foreign protestant troops, the charge of which should be defrayed without any expence to the kingdom of Ireland. The Commons granted the troops, but declined to accept of any foreigners in their stead. This transaction gave occasion to the opposition in the British Parliament, to censure government on the ground of attempting to introduce foreign troops into the empire, without the sanction of Parliament, and stipulating for the pay of 8000 men, when only 4000 were employed. It was debated, whether the Lord Lieutenant, by formally undertaking in his Majesty's name, to engage for the Commons of Great Britain, was not guilty of a breach of privilege? Some of the ministry censured the step, but the majority crushed the enquiry\*.

The last important regulation introduced in this session of Parliament, was a partial suspension of the Act of Navigation, to answer the exigencies of the times. It was hereby made lawful to employ foreign seamen on board our ships of war, and that our merchantmen might be navigated with foreign seamen, so that no more than three fourths of the crew were foreigners. This bill was framed from one which was passed in 1755, on the breaking out of the war with France. A motion was made, which was however over-ruled, that the subjects of France and Spain should be excepted out of the bill. Many weighty objections were urged against passing such a law, as making our natural enemies acquainted with our coasts, harbours, docks, and

\* 224 to 106,

arsenals.



arsenals. Besides, if we should be forced into a war with both branches of the House of Bourbon, such of the subjects of France and Spain as would then be in our service, must quit it upon pain of being deemed traitors, which would occasion an immediate reduction of our strength, and as sudden a supply to our enemies, by furnishing them with trained seamen and skilful navigators. This destructive conduct, which only the necessitous condition into which we were reduced, could be urged as an excuse for, was pathetically lamented. Foreigners, it was said, compose our armies, man our fleets, take charge of our most important fortresses in Europe, fight our battles in America: our commerce is to be carried on with foreigners. Thus are we rendered the most despicable nation in Europe, from having been, but a few years ago, the most powerful and respectable.

The declining health of the Earl of Chatham prevented him from taking any active part during this session, so that the opposition to the measures of government in the House of Lords was chiefly maintained by the Dukes of Richmond, Manchester and Grafton, the Marquis of Rockingham, and the Earl of Shelburne. In the House of Commons, Mr. Burke, Lord John Cavendish, Sir G. Saville, Mr. Hartley, Mr. Dunning, Governor Johnstone, Mr. Charles Fox, Colonel Barré, Mr. Thomas Townshend, and Mr. Temple Luttrell, were the most conspicuous for the attempts which they made either to overturn the measures of administration, by proposing a contrary plan of conduct, or pointing out the mischievous consequences resulting from the present system. In pursuing these views, the enormous expences which were incurred, and which were daily increasing in a compound ratio, were descanted upon. The state of our navy in times so critical, was described as particularly alarming, and

and the abuses in that department were insisted upon with great acrimony of censure. The hostile designs of France and Spain were predicted : a member of the House of Commons \* endeavoured to call the attention of Parliament to the great naval preparations which were making in the ports of both kingdoms, and to the additional force which had been sent from the former to her West-India islands. He asked, Is not the French ministry changed ? Is not the Queen of France thought to have great influence in the new arrangement ? Who is her great friend ? *Monf. Choiseul*. Who is the avowed enemy of this country ? *Monf. Choiseul* ? Who is the lover of war ? *Monf. Choiseul*.

The merchants, who had suffered severely by the prohibitory acts, which cut off their commerce with America, now saw large cargoes shipped for that continent by a new set of men, who obtained licences from the admiralty board, for the purpose of supplying his Majesty's forces with stores, provisions and necessaries : under which denomination, all sorts of merchandize had been sent to America. The abuse of this privilege was pointed out in both Houses, and such proofs adduced as tended to restrict it in future.

The formidable power which was destined to act against the Americans, occasioned a large increase in the annual expences of the nation, although many of the charges thereby incurred were at that time kept back from the public eye, and reserved to swell some future account. The whole amount of the supplies was 9,097,577*l*. (including 1,250,000 of Exchequer bills paid off, and deficiencies of the last year, 538,920*l*.) which was 3,448,753*l*. more than for the year 1775. The means of providing for

\* General Conway.

which

which were, fixing the land-tax at four shillings in the pound, increasing Exchequer bills to a million and half, and borrowing two millions upon annuities and a lottery. The annual interest of this funded debt amounted to 64,000*l.* to raise which, an additional tax of twenty shillings was laid on four-wheeled carriages, the produce of which was computed at 17,000*l.* Five pounds per annum duty on stage coaches, computed at 2000*l.* An additional stamp of one shilling upon all deeds or writings, estimated at 30,000*l.* A stamp of one half-penny on all news-papers was expected to yield 18,000*l.* the number of news-papers printed last year being upwards of twelve millions. A further duty of six-pence a pack was laid on cards, and two shillings and six-pence on dice, which was estimated to raise 6000*l.* Besides which,

\* The manner in which the national expences are incurred, and the means by which they are discharged, although destitute of entertainment to the general reader, are enquiries of great importance to the political reasoner, to gratify whom, the annual accounts are digested in this work. The particulars for 1776 were as follow :

NAVY—28,000 seamen, ordinary, building and repairing		£.
ships	- - - - -	2,222,056
Greenwich Hospital	- - - - -	5,000
Towards the discharge of the Navy Debt	- - - - -	1,000,000
Ordnance—Ordinaries, 249,655 <i>l.</i> extraordinaries, 223,172 <i>l.</i>	- - - - -	472,827
		<hr/> 3,699,883

ARMY—20,752 men, including every expence		£.
Levy-money, for augmentation of British and		1,535,705
Irish forces for 1776	- - - - -	104,137
Five Hanoverian battalions of foot at Gibraltar		
and Minorca to Dec. 24, 1775	- - - - -	26,784
Ditto for 1776	- - - - -	46,839
Charge of a Regiment of Highlanders, consisting of two battalions	- - - - -	47,400

Charge

which, a vote of credit was passed for another million, towards the close of the session, which ended on the 23d of May, 1776.

The attention of the nation was now challenged to the public ruin which would result from the prosecution of such measures. A gentleman highly esteemed for his probity, learning and abilities; whose lucubrations had ever been directed to the general benefit of mankind, and whose reputation as a calculator stood very high, at this time came forward and de-

Charge of augmentation to his Majesty's forces

to the end of 1775	-	-	-	88,922
Chelsea Hospital	-	-	-	107,512
12,394 Hessians for 1776	-	-	-	381,888
4,300 Brunswickers	-	-	-	121,475
Regiment of Hanau	-	-	-	19,006
Six regiments of foot from Ireland	-	-	-	137,449
Extraordinaries for land service	-	-	-	845,165
			-	<u>3,462,282</u>

MISCELLANEOUS SERVICES—Including

92,421l. expences of, and loss by coinage	-	-	-	146,491
Exchequer bills	-	-	-	1,250,000
Deficiencies on land, malt, fund in 1758, coinage, (7475l.) and grants for 1775	-	-	-	<u>538,921</u>

£.9,097,577

The WAYS and MEANS, were,

Land and malt	-	-	-	2,750,000
The surplus in the sinking fund to Jan. 5, 1776	-	-	-	17,869
Doitto to April 5	-	-	-	962,571
Growing produce of the sinking fund	-	-	-	1,837,428
Surplus, savings, and American revenue	-	-	-	39,362
French Prize money	-	-	-	17,000
Sale of ceded islands	-	-	-	30,000
New Exchequer bills	-	-	-	1,500,000
Annuities and lottery	-	-	-	<u>2,000,000</u>

£.9,154,230

clared



clared from the press, that a national bankruptcy must ensue from an American war. He insisted, that the only solid wealth which could withstand the shock of public calamity, was the specie which rested in the kingdom, all representative paper wealth, when brought to so severe a test, would vanish as a phantom. This popular writer treated with great freedom the credit of the Bank of England, pronounced it to be precarious, from the vast loans which it had advanced to government; for should deficiencies in the revenue bring government under any difficulties, all those securities would lose their value, in consequence of which, the Bank, government, all private and public credit, would fall together\*. This pamphlet was circulated through the nation with prodigious industry: it was translated into Dutch, and served to intimidate the wary Hollander from trusting his property on the security of an appropriated revenue, which might fail, and a sinking fund constantly applied to the yearly expences. Even a Prince of the blood

\* In ascertaining the credit of this accumulating company, that perennial spring of its wealth, the loans made to private persons on personal security, ought to be taken into the account, being made without any drain of the company's cash, such sums being commonly issued in their own notes. It is true, the profits arising from this, and every other lucrative business, is divided among the proprietors; but in whatever transaction the company is a party, the increase of its paper becomes a consequence, and in that proportion the amount of its cash must increase. The universal confidence which is placed in this grand reservoir of specie, causes perhaps more than fifty millions in Bank notes to be in constant circulation. It may be added, that the losses which individuals must suffer in possessing such a perishable kind of wealth, is not too trivial to be dwelt upon, when the profits accruing to the company are spoken of, as it may fairly be estimated at a very capital annual sum, although merely an incidental advantage.

paid the author a very particular compliment†. This prognostic of a mortal disease having seized the national credit, greatly engaged the public attention, yet no general panic or distrust was diffused : both the principles laid down, and the reasoning founded thereon, underwent every mode of attack ; the friends of government censured them as unwarrantable and seditious, and the monied interest exploded them as ill-founded. After a short ferment, the nation reposed itself in its former security.

### C H A P. III.

*Superior Advantages enjoyed by the Americans above any other People recorded in History—Opinions concerning their Character as a brave People—Causes which operated against their becoming disciplined Soldiers—Expedition against Quebec—Death of Montgomery—Evacuation of Boston by General Howe—State of Affairs in Virginia—Unsuccessful Attack on Charlestown—Declaration of Independence by the American Congress—Form of Government established in the new States—What ought to have been the Plan of Conduct for Great Britain in reducing America to Obedience—The Howes arrive at Staten Island with a Fleet and Army—Their Overtures for restoring Peace prove ineffectual—Reduction of Long Island—York Island—and Rhode Island—The Jerseys subdued, and*

\* The Duke of Cumberland seeing Dr. Price in an anti-chamber of the House of Lords, expressed his approbation of the Treatise which he had just then published, adding, that he had sat up so late the night before to read it, that it had almost blinded him. Mr. Dunning, who happened to be near, observed, he was sorry his Royal Highness should be affected in such a manner by a work which had opened the eyes of the greatest part of the nation.

*the Campaign terminated—Remarks on General Howe's Conduct—Washington surprises Trenton, and retrieves the Fate of America—Franklin negotiates at the Court of France—His Character—Depredations on the British Commerce—Naval Preparations on the Parts of France and Spain—Meeting of Parliament—Great Debates on the King's Speech—Acts passed respecting America—Charges brought of various Abuses in the Expenditure of public Money—Demands made by the Landgrave of Hesse—Discharge of the Debts on the Civil List, and Augmentation of the Revenue—Transactions on the Goromandel Coast, and the Imprisonment and Death of Lord Pigot—Supplies for the Year 1777—State of the War in America—Different Views of the Commander in Chief and the American Secretary—Operations in Pennsylvania—Proceedings of the northern Army under General Burgoyne—Ticonderoga taken—Advancement of the Army towards Albany—Capitulation at Saratoga—Resignation of Sir William Howe—Lord Chatham's Speech on the meeting of Parliament—Subscription for the American Prisoners—Regiments raised by private Contribution—Lord North's Conciliatory Bills—Royal Message on the French Declaration—Attempts to procure a Free Trade for Ireland—Bill for the Relief of Roman Catholics—Enquiries in both Houses into the State of the Nation—Death of the Earl of Chatham—His Character—Budget—Session closed.*

**T**HE British dominions in North America had hitherto enjoyed such pure and unmixed advantages, as no people whom history hands down to us, had ever been blessed with: no age of barbarism involved in obscurity and ignorance the early period of their existence. Arts and sciences were cultivated 'ere their woods were cleared; their minds were enlarged without their manners being depraved. The fostering hand of Great Britain nursed the rising genius of

of the Colonies, and an immense expanse of country taught them to contemplate on futurity with exultation\*. Their towns had been built far from the din of war; their people had multiplied amidst the blessings of peace; their situation and employments rendered them robust and enterprising without becoming sanguinary. The inroads of the In-

\* A late publication, attributed to the Abbé Raynal†, (which indeed possesses all his animation and strong sense, but is remarkably inaccurate as to facts, and somewhat extravagant in sentiment) supposes that the Provinces in North America are not capable of supporting more than ten millions of inhabitants, and that the exhausted state of the soil, will, in a short time, render the lands now cultivated, of little value. But is there any thing to bound their progress to the westward? Does this writer make no account of the immense tract of country about the five great lakes? Are the Banks of the Mississippi to be for ever unoccupied, and only occasionally visited by parties of Indians, whose numbers are every year lessening, by the vices they have imbibed from their intercourse with Europeans? Can any physical reason be assigned, why all the lands to the westward of the Alleghany mountains should not, in some distant period of time, become as populous as Switzerland, Austria, or Germany? The tendency of the earth to sterility in that country is a false assumption. Nearly the whole province of Connecticut, at this day, consists of rich land, and though the snow is in general the only manure, yields such abundance, that the inhabitants send out of the Province as much corn, and other provisions, as are consumed in it‡. That the land in many places has been worn out by excessive use, and a total ignorance of the arts of husbandry by which its genial qualities are preserved, is acknowledged. In the year 1756 it was the practice of the farmers about Albany, when the river was frozen, to deposit their dung on the ice, to be carried away by the stream on the return of spring. The English officers in the last war, first taught the Americans the value of this compost to enrich the land; and there is no doubt as the luxuriance of nature abates, a more skilful method of cultivation will restore the powers of vegetation.

† The Revolution of America.

‡ General History of Connecticut, just published, p. 243, 244.



dians, those Aborigines, whose possessions they had, in most instances, rather seized upon than honourably purchased, were confined to their back settlements, and served to keep them attentive without endangering the general safety. The apprehensions from the encroachments of the French, were dispelled soon after they had been seriously formed, and the fortunate termination of that four years conflict, served to teach them to value a security which thereby became permanent.

Civil commotions and intestine wars have stained with blood every kingdom and state, both in ancient and modern times; the Americans were not to expect an exemption from the common lot of humanity, and the time was now arrived, when the horrors and desolations of war were to be spread over a country in which the banners of an enemy had never before been spread.

Very unfavourable ideas were formed by the British ministry concerning the martial disposition of the Americans, and the supposition that they would make any firm resistance against the force which was preparing to be sent against them, was ridiculed as absurd. In the House of Peers, the first Lord of the Admiralty spoke with great contempt of American courage, and supported his assertions, by producing the authority of a British Admiral, whose reputation was very high, although he died in the prime of life. This commander † had entertained a bad opinion of the Americans as soldiers, from the expedition which he commanded in 1745 against Cape Breton, the land forces of which consisted of American volunteers. In the House of Commons the same language was used by military men, who had served

† Sir Peter Warren.

on that continent in the last war. The disposition and habits of the Americans were certainly little suited to the austerity of European discipline. The disputes which frequently broke out between neighbouring Colonies, had no tendency to rouse them to arms, and they had no ambitious and rival Princes, as in Europe, to inspire the people with a passion for military glory, to strengthen their native courage, and to give splendor to the profession of arms. Americans had not yet tilted at Americans, and it was never thought necessary for their militia to be so trained as to compose a firm body of infantry, actuated by one general mechanical principle, and acquiring force by the uniformity of every movement, in which consists the real strength of every kingdom in Europe; notwithstanding this, the first enterprize which they undertook, was daring and hazardous in the extreme.

This was no less than an attempt to reduce Canada: for which purpose two distinct armies penetrated by different routs. The largest body, which consisted of 2000 men, was commanded by General Montgomery, a native of Ireland, who in the last war held a Captain's commission in General Monckton's regiment of foot, which bore a distinguished part in Wolfe's glorious campaign against Quebec. At the conclusion of the war, Montgomery quitted the army, settled at New-York, married a lady of the country, and became an adopted American. That an Irishman, who had served as a British officer, should head an army of Provincials, and be the first to wage an offensive war against the British government, is a very remarkable fact. Had he succeeded in his enterprize, he would certainly have struck such a decisive stroke, as would have rivalled the fame of the most renowned commanders. Early in the month of November, 1775, he embarked his army on Lake Cham-

plain,

plain, and proceeded against the fortrefs of St. John's, situated on the river Sorel, which he reduced, and made the whole garrison, consisting of 500 regulars and 200 Canadian volunteers, prisoners of war, with Major Preston, who commanded. The possession of this place opened to him a passage to the St. Laurence, which he immediately crossed, and appeared before Montreal, which surrendered a few days after.

These rapid conquests, made by a small number of new-raised troops, cannot but be placed in contrast to the operations of the British army during the last war, when the Commander in Chief thought it too dangerous an enterprize to attack the French at St. John's, although it was of the highest importance to the service to render assistance to the army before Quebec, and no communication could be opened whilst that barrier was in the hands of the enemy. The inflexible spirit of the General in Canada, atoned for the cautious circumspection of his superior officer: the former purchased victory at the expence of his life, the latter procured for himself the distinguished title of conqueror of America, by reducing Montreal a *twelvemonth* after.

Whilst Montgomery was thus successful to the westward, another army, composed of 1100 men, proceeded from Boston, through a wild and trackless country more to the eastward, and after encountering a variety of hardships and distresses, reached the heights of Levi, opposite to Quebec. These troops were commanded by Colonel Benedict Arnold, by birth an Englishman, and bred a tradesman, but whose zeal in the cause of America had led him to take up the profession of arms. The Canadians in general had refused to fight on either side in the dispute, but they furnished Arnold with boats to transport his troops across the river.

The

The brave General Carleton was Governor of Canada, and narrowly escaped falling into the hands of Montgomery near Montreal; but having reached Quebec, he took the most effectual measures for the defence of that important capital. Montgomery joined Arnold in the month of December, and soon found himself in a most perilous situation. At the head of new-raised men, who had never experienced the hardships of a winter campaign, who were daily growing weaker through sickness, and mutinous through discontent. Pushed on by these increasing difficulties, knowing the reduced state of the garrison, and being well acquainted with the nature of the works, the American Commander resolved to make a general assault. He understood, says his panegyrist, that maxim of Folard, "No obstacle should break our resolution, when there is but a moment between a bad situation and a worse." In a letter which he wrote to a friend, he says, "I should be sorry to be reduced to the necessity of storming the town, because I know the melancholy consequences, but every motive points it out too strongly to be passed by. Fortune often baffles the most sanguine expectations of poor mortals, I am not intoxicated with the favours I have received at her hands, but I think there is a fair prospect of success."

On the last day of the year 1775, Montgomery and Arnold led on the attack upon the town from different quarters; they were received with great firmness, which seems to have disconcerted the assailants, so that their Commander in Chief being ill-supported by his men, was soon slain. Arnold also received a wound in his leg, which obliged him to be carried off. General Worster, who then succeeded to the command, drew off his men, now reduced below a thousand in number, and on the arrival of some frigates from Europe, the invaders were driven out of Ca-



nada, and obliged to abandon every post which they held. General Carleton, disdaining to wage war with the dead, caused Montgomery's body to be buried in Quebec with all the military honours due to a brave soldier, and even in the British House of Commons, a veteran \* who had fought by his side on that very ground, upon a more triumphant occasion, paid a tribute of friendship to "his brother of the war."

Whilst on the part of Great Britain, every thing remained in a state of inactivity, the Americans collected five frigates under the command of one Hopkins, sailed from the Delaware to the Bahama islands, and seized upon the artillery and naval stores which were there deposited, but the powder, which would have been the most valuable acquisition, had been previously conveyed away. Letters of marque and reprisal were now issued by the Province of Massachusetts Bay against all British ships, and courts of Admiralty were established for their trial and condemnation, which example was soon followed by the other Colonies.

All this time the British army in Boston suffered an inglorious blockade, reduced to great extremities by the severity of an American winter, and the scarcity of fuel and fresh provisions: it proved, however, a very fortunate circumstance, that the season was less rigorous than usual † ;

General

\* Colonel Barré.

† Many have been at a loss to account for the cold being more intense in the northern parts of the Western hemisphere, than in European countries under the same degree of latitude; but when it is considered, that whilst the Hercynian forest overshadowed a great part of Germany and Poland, Europe was much colder than it is at present; the cause of the superior coldness of America, will be found to be the vast quantity of wood which overspreads the country, and which both collects vapours,

and

General Gage resigned the command to General Howe, and the Americans being furnished with cannon and mortars from the transports which they had taken, erected works on Dorchester neck, which commanded the town of Boston to the southward, in the same manner as Bunker's-hill to the north. All attempts to dislodge the enemy from these heights proved ineffectual, and the town was at length evacuated on the 17th of March, 1776. It had never been the design of the Commander in Chief to open the next campaign from Boston; and in the beginning of the winter an order was received from the Secretary of State for America, to abandon the town, and to remove the army to New York. The late arrival of this order, together with the want of transports, prevented this evacuation taking place sooner: 6000 rank and file, and 900 sick, embarked, and proceeded to Halifax; but considerable quantities of linen and woollen merchandizes were left in the town, which received no injury from the troops; whilst, on the other hand, Washington, with his army continued a calm spectator of the transaction, and made no attempt to molest the troops, although they were much exposed to his attacks whilst embarking.

A number of Americans, amounting to about 1500, accompanied General Howe to Halifax; but Congress issued an order, that the effects of all such should be confiscated and

and excludes from the earth the rays of the sun. Whenever the morasses shall be drained, the woods cleared, and the soil cultivated, the air will become more temperate.

Canada, at this day, says Mr. Gibbon, is an exact picture of ancient Germany. Although situated in the same parallel with the finest Provinces of France and England, that country experiences the most rigorous cold. The great river St. Laurence is regularly frozen, in a season when the waters of the Seine and the Thames are usually free from ice.—*Decline of the Roman Empire*, Vol. I. p. 262.

and fold, the produce of which should be applied to the public service. Those who staid behind that were attached to the royal cause, and had taken an active part against their countrymen in arms, were brought to trial, as enemies to their country, and such as were found guilty suffered a like confiscation.

A transport vessel having Lieutenant Colonel Cambel, and about 500 Highland troops on board, soon after sailed into Boston, not apprized of its being in possession of the Americans. Several other vessels fell into the same snare.

In Virginia, Lord Dunmore having published a proclamation, declaring all negro slaves in the Colony to be free, the measure spread such a general abhorrence, that the Governor was obliged to retire on board the ships of war which lay in James river, and after burning the towns of Norfolk and Portsmouth, retreated to Florida.

A squadron, commanded by Sir Peter Parker, had sailed from Portsmouth the latter end of the year \*, for the reduction of Charlestown in South Carolina. At Halifax he took on board a body of troops under the command of General Clinton. This force arrived off Cape Fear the beginning of May, and a month afterwards the ships anchored before Charlestown-bar. A strong force was

\* The Earl of Cornwallis was second in command on this expedition. That nobleman, when the repeal of the stamp act took place, proposed in a committee of the House of Lords, such an amendment to the preamble of the act, as went to renounce the right of Great Britain to impose taxes on America, notwithstanding which, his dread of the imputation of backwardness in his military profession, led him to sacrifice his political opinions, and draw his sword in a cause which he had declared to be unjust.

collected to defend this important post, and Congress entrusted the command to General Lee, an English officer, who had fought with honour in Portugal, where he commanded a regiment, and acted under Brigadier General Burgoyne. His enthusiasm in the American cause led him to throw up his commission, abandon his native country, and enter into the service of the revolted states.

Much time was lost in getting the ships over the bar, so that it was not till the 28th of June, 1776, that the attack was made upon the fort, when a desperate action ensued, which was supported for ten hours, in which the ships were very roughly handled, and a dreadful slaughter was made of the men. Never did British valour shine more conspicuously. The troops were landed with a design to attack the American lines on the land side; but being obliged to pass a stream which was generally fordable, but then had risen so high as to be impassable, but by means of boats, which conveyance not being at hand, the troops did not advance, whereby they escaped an ambuscade and masked batteries, which were formed to cut them off.

Hitherto the resolutions of Congress had been passed with a boasted unanimity; but a step was now taken which greatly divided the Americans in opinion, and served to introduce discord and dissention among them. This was the declaration of independence made by the Congress on the 4th of July, 1776. State necessity, which has been so often pleaded in defence of measures repugnant to the established forms of government, and to the general sense of a people, was urged on this occasion. Great Britain, say they, has hired foreign mercenaries to reduce us to a state of unconditional submission; we are therefore compelled to renounce our allegiance to her as a preparatory step to our obtaining succour from foreign powers; for  
whilst



whilst we remain subordinate Colonies, it would be a solicism in politics for any European state to league with us. We do not break the connection, it is already broken and dissolved; and thus abandoned, all laws, human and divine, not only permit, but demand of us, to provide every internal and external means for our own preservation.

We are told by an American refugee \*, that when the question concerning the independence of America was put in Congress, the Colonies were equally divided, six against six. The delegates of Pennsylvania being also divided, that Colony gave no vote †, which occasioned the assembly to be adjourned until the next day, when one of the delegates ‡, who had the day before opposed the measure, retracted his opinion, and gave the casting vote for independence.

The Congress then issued a declaration, in which they assigned reasons for their withdrawing their allegiance from the King of Great-Britain. In this paper they discard that constitutional language, in which complaints are ever expressed by British subjects, and direct all their charges in unqualified terms against the throne itself. They no longer complained of a British parliament, or a British ministry, but of a British King. The declaration of independence was soon followed by articles of confederation and perpetual union between the states of America, by which the general Congress obtained the power of regulating all matters rela-

\* Mr. Galloway.

† The Colony of Pennsylvania sent seven delegates to the first Congress, but the number deputed must have been afterwards altered to occasion this equality.

‡ Mr. Dickenson.

tive to politics and war, but had no controul over the Provincial assemblies in their regulations of the internal government of the several Provinces. Hereby the Americans engaged to yield an implicit obedience to the mandates of fifty or sixty men, from whose decrees there lay no appeal; but in some measure to check this authority, every state had the power of recalling at any time its delegates, or any one of them, and of sending others in their room; and a general election was to be made annually in the month of November.

A council of state was also formed from the members which composed the Congress; to consist of one for each of the states, who was to be annually nominated by the other delegates of his respective state. This body was invested with various powers, for carrying into effect such measures, as should be from time to time resolved upon in Congress; it was designed to be the executive part of government, when that assembly was not sitting, and was entrusted with the expenditure of the monies voted by the general assembly of the states for the public service.

The reluctance which the Americans in general shewed to the act of severing themselves for ever from their mother country, seems to point out, that the sending of foreign troops to that continent to recover the people to obedience, was the sole cause which produced this dismemberment of the empire. Had the whole force of Great-Britain been exerted on its proper element, had every nerve been strained to equip and man a formidable fleet, and had the operations of the war in its commencement been purely maritime; had the ports of that continent been blocked up, and all intercourse with foreign states effectually cut off, we should not have heard of American independence, and the designs of France to reduce the consequence of this country, by  
aiding

aiding the revolted Colonies, would have been baffled almost as soon as formed. An effectual force at sea, in the full vigour of operation, was the only terror which could intimidate that restless rival. The amphibious Americans, inclosed within the confines of their lands, might have become tractable. Abounding in wants, which they were unable from within themselves to supply, they would have suffered humiliating inconveniencies, but would have been exempted from those miseries which an hostile army is disposed to inflict, and which inevitably drives a people to desperation. But the notion that the Americans were to be dragooned into unconditional submission was yet prevalent, although disproved by repeated experiments. Hence a ruinous land war was to be maintained in another hemisphere, where the face of the country every where rendered victories ineffectual. It must be owned, that it required an uncommon share of sagacity in a monarch, to decide for himself, how he ought to act in so embarrassing a situation, and as great a share of firmness as wisdom, to carry the proper plan into execution. In the British cabinet, every measure is viewed with approbation or distaste, in proportion to the number of friends which it will serve. No minister would have suggested a merely naval blockade, or perhaps have cheerfully concurred in effected it. Such a plan of conduct would have tended too much to cause the public good to preponderate over private gain. A predatory war was calculated to enrich thousands; a war of posts was utterly unfavourable to the acquiring of private fortunes; besides which, it did not possess that *eclat* which gratifies a high spirited nation; but it was the only conduct by which its interests could be effectually served.

Admiral Lord Howe was appointed to the command of the fleet, which was destined to co-operate with the army against

against the Colonies. A great number of the young nobility and gentry seized this opportunity of initiating themselves in the art military, by serving as officers or volunteers. In the mean time the army under Gen. Howe suffered great inconveniencies and hardships at Halifax; and the summer being advanced, the General determined to proceed to New York, and there wait the arrival of his brother with the troops from Europe. He appeared off Sandy Hook the day before the declaration of independence was passed in Congress, and landed on Staten Island without opposition. Lord Howe arrived on the 14th of July, 1776, when the combined army consisted of 20,121 rank and file, of which 1,677 were sick \*.

The General and Admiral having been appointed commissioners † for restoring peace to the Colonies under the late act of parliament, and for granting pardons, before they entered upon action sent flags on shore, accompanied with letters to the late governors of the Colonies, acquainting them with the civil and military powers with which they were furnished, and desiring that a declaration, which was at the same time sent, might be published as generally as possible: but these endeavours to bring about a reconciliation had no effect. A letter was also sent by the same conveyance to Mr. Washington; but as the superscription did not address him by the title and in the form due to the rank which he held under the Congress, he refused to receive it. A letter from Lord Howe to Dr. Franklin was received and answered. The hostile force which was now

\* Mr. Galloway asserts, that General Howe's force was 40,874. *Letters to a Nobleman, page 33.* The General dared not misrepresent such a fact to the House of Commons, the writer ought not to have done it to the public. The difference of some thousands, however, is made, by calculating the force, in one instance before, and in the other, after, General Clinton arrived.

† The salary paid to each Commissioner was 100l. a week.

arrived



arrived on the coast, had no effect in lowering the style, or abating the claims of the Americans. The offers of pardon upon submission, Franklin, in his letter, rejected with scorn; and the acknowledgment of American independence was made the only basis of reconciliation. " Yet I know too well," said he, " the abounding pride and deficient wisdom of your nation, to believe she will ever take the steps necessary to recover our regard. Her fondness for conquest as a warlike nation, her lust of dominion as an ambitious one, and her thirst for a gainful monopoly as a commercial one, (none of them legitimate causes of war) will all join to hide from her eyes, every view of her true interest, and will continually goad her on in these ruinous distant expeditions, so destructive both of lives and treasure, that they must prove as pernicious to her in the end, as the Croisades formerly were to most of the nations in Europe. I have not the vanity, my Lord, to think of intimidating by thus predicting the events of the war, for I know it will in England have the fate of all my former predictions, not to be believed till the event shall verify it."

He concluded with saying, " Long did I endeavour, with unfeigned and unwearied zeal, to preserve from breaking that fine and noble china vase, the British empire; for I know, that being once broken, the separate parts could not retain even their shares of the strength and value that existed in the whole; and that a perfect re-union of these parts could scarce ever be hoped for."—If this was arrogance, it was the defect of a great mind, which shewed itself more disposed to speak strongly the nearer dangers approached.

The unfavourable reception given to the two brothers, as commissioners, made it now necessary for them to act as commanders. Clinton and Cornwallis from South Carolina had

had joined the main army with 3000 men. York Island was too well fortified to invite the first attack. Long Island, although defended by 10,000 Americans, under Putnam, being of much greater extent, was more assailable. The army made good their landing on the south-west shore, on the 22d of August, 1776, and a decisive action was fought five days after at Bedford, when the Americans, unable to withstand the valour and discipline of their assailants soon fled; nor did the conduct of their General appear to more advantage than the bravery of his troops, for the whole army would have been cut off, had not their retreat to York Island been secured by works constructed on the heights of Brooklyn, opposite to New York, and their embarkation covered by a number of floating batteries. One thousand men were made prisoners, with the Generals Sullivan, Sterling, Adell, and ten other field officers; two thousand were killed or wounded; whilst the combined army did not lose more than three hundred and fifty men. The city of New York, and the whole island on which it is situated, afterwards surrendered. King's Bridge, the last place of strength which held out, was taken by assault; and the garrison, consisting of three thousand men, was made prisoners of war\*. Washington, with the main army, narrowly escaped destruction on the White Plains. The Province of New Jersey becoming then the seat of war, the royal army drove their enemies before them to the banks of the Delaware, notwithstanding General Lee reinforced the flying army with a body of four thousand men. The Earl of Cornwallis, who commanded the troops most forward in the pursuit, was unable to attack the rebels, through the fatigue which his own men had endured, and because the whole of his corps had not joined him. This river was therefore crossed without any molestation, and the

\* November 16, 1776.

views of the American General were now directed to the protection of his magazines in Pennsylvania, against which he expected that General Howe's force would have been turned: but no boats could be procured to transport the troops; and the month of December being far advanced, the army was cantoned over the Jerseys, and the prosecution of the war to the southward was reserved for the ensuing campaign. Four months had been passed in very active service; the success had been brilliant, and the most flattering prospect presented itself of terminating the war in the course of the next year; at least of subduing every thing to the southward, but the unconquerable will of the revolvers. In this situation of affairs, such a hero as Frederick III. would have created the means of transporting his victorious troops to the opposite shore, and would not have thought of repose until he had cut the sinews of the war, by becoming master of the magazines which were there deposited; but such ardour is peculiar to commanders whose interest strongly incites them to give the most speedy termination to a war. It is a precipitancy which actuated neither a Ferdinand nor an Howe. No reflections were at that time cast upon the General for not pushing his conquests farther, and his Sovereign set his seal of approbation by creating him a Knight of the Bath\*. The gallant

\* A writer of great name, a quarter of a century ago, makes the following remark: "A man who shall go out of the common road of life in pursuit of glory, and serve the public at the expence of his ease, his fortune, or his pleasure, would be stared or laughed at in every fashionable circle, as a silly fellow, who preferred shews to realities, and needless toil to pleasurable enjoyment. The laurel wreath, once aspired after as the highest object of ambition, would now be rated at the market price of its materials, and derided as a three-penny crown, and if its modern substitutes the ribbon, or the coronet, be eagerly sought after, it is not that they are regarded as the distinctions of public virtue, but as the ensigns of vanity and place." *Brown's Estimate*, Vol. I. Sect 6.

Carleton,

Carleton, who had pursued the Americans under the command of Arnold across Lake Champlain, and taken or destroyed all their vessels near Crownpoint, received the same honorary distinction. General Clinton at the head of six thousand men, with a squadron commanded by Sir Peter Parker, took possession of Rhode Island, which, as it afforded a secure harbour, was a very valuable acquisition; for which service he was likewise invested with a red ribbon. It might, however, be asked, why this squadron and detachment of troops did not rather steer to the southward, and by sailing up the Delaware, facilitate the passage of the main army into Pennsylvania, and secure the possession of Philadelphia? The Congress, thinking that capital insecure, had removed to York-Town.

Before the close of the campaign, the Commander in Chief had written to the American minister the outlines of his plan of operation for the next campaign, with the force requisite, in order, if possible, to finish the war in one year. He proposed, that ten thousand men should act on the side of Rhode Island, and penetrate eastward into the country towards Boston, leaving two thousand for the defence of Rhode Island; ten thousand in the Province of New York, to move up the North River to Albany; five thousand for the defence of York Island and its dependencies, eight thousand to cover Jersey, and to keep General Washington's army in check, by giving a jealousy to Philadelphia, which, as well as Virginia, he proposed to attack in autumn. South Carolina and Georgia he proposed as objects for winter. But to carry this plan into execution, he informed his lordship, that ten ships of the line, and a reinforcement of fifteen thousand rank and file would be absolutely necessary, besides an additional battalion of artillery. Such a requisition at a time, when, in England, America was consid-



dered as almost conquered, was looked upon as extravagant, but future experience justified the calculation, and a most unexpected event gave a new turn to the war.

The inhabitants of New Jersey suffered severely from the unbridled licentiousness of the troops, particularly of the German auxiliaries: an attachment to the royal cause, was no protection against these depredations. In consequence of this cruel oppression, the minds of the natives were alienated, discipline among the troops was fatally relaxed, and a dangerous security prevailed. Washington availed himself of this posture of affairs, and collecting 3000 men, his army having almost deserted him, on Christmas-day, crossed the Delaware upon the ice, and surprized Trenton, the most westward post, which was occupied by about 1200 Hessians\*, commanded by Colonel Rhall, to whom General Howe had sent orders to build redoubts for the better security of so important a station. These orders had been neglected, and the Commander was apprized of the approach of the enemy when oppressed with intoxication. In this state of imbecility he attempted to rally his troops and march them out to the attack, but in the first onset the American riflemen directed their shot so personally, that most of the officers fell, and among them Colonel Rhall, who, for his unsoldierly negligence paid the forfeit of his life. The troops, deprived of their officers, threw down their arms, and surrendered prisoners of war.

\* The reason which General Howe assigns for entrusting such an important post to foreigners, is, that the left was the post of the Hessians in the line, and had he changed it upon this occasion, it must have been considered as a disgrace, since the same situation held in the cantonments as in the camp. Two of these battalions had served in Germany during the last war with great credit, and had given recent proofs of their bravery.

This

This stroke revived the drooping spirits of the Americans: another army was soon collected, and all West Jersey, together with a considerable part of the eastern district, was recovered as rapidly as it had been lost. It seems, however, strange, that all the fortresses in the country should be so hastily abandoned, when so large an army was at hand to assist in keeping the possession of them. The Commander in Chief has been roundly charged, with throwing aside the cares annexed to his important trust, and giving himself up to the blandishments of beauty and the fascination of deep play.

Not so were the interest of the New States attended to: Dr. Franklin had passed over into France, for the purpose of forming an alliance with that kingdom, whose secret support and assistance had at all times been rendered. This man (who formerly for many years carried on the business of a printer at Philadelphia) may be considered as the first fruits of American genius: and perhaps no man ever owed more to the time and place of his birth: had he been a native of London instead of Boston, and born into the same rank of society†, the world would probably never have heard his name either as a philosopher or politician. Pent within a populous city, his occupation would have been more laborious, and his incentives to cultivate speculative science, would have been suppressed by every consideration of interest or ambition. He might have distinguished himself as an ingenious artist, but he would neither have formed an hypothesis to account for the phenomenon of the *Aurora Borealis*, nor have traced out the principles and operations of the electrical fluid; and what is much more important, he would never have become a powerful engine to shake a

† His father was a tallow-chandler.

great empire, and to erect a congeries of republics from its dismembered parts ; nor would he have had the appropriated distinction of being the principal agent to introduce a new æra in the history of mankind, which may prove as important as any which have yet elapsed, by procuring a legislative power to the western hemisphere. In this view he may be considered as a greater enemy to England than even Philip II. or Louis XIV.

His love of science marked his early years\* ; and, as if no event of his life was destined to be unimportant, even an intrigue which caused him to quit Boston and settle in Philadelphia, brought him into a wider sphere of action, and placed him in a more respectable situation : he had, however, passed the meridian of life, before he rendered himself conspicuous as a politician. As his influence became extensive, it was exerted to inculcate among the people the virtues of frugality, temperance, and industry ; and all his labours were directed to advance the essential interests of humanity. He possessed the plainness of manners, and precision of thought, which characterized John de Witt, but he ever escaped falling under any popular odium, either by being master of superior address, or acting under more fortuitous contingencies than that devoted patriot.

Trammelled in no system, he may be said to be a philosopher without the rules, a politician without adopting the Roman pandects, and a statesman without having sacrificed to the graces : possessing a diversity of genius without a versatility of temper.

\* There are some letters now extant which he wrote to Sir Hans Sloane, in the year 1726, when he was only twenty-one years of age.

Such was the man, thoughtful, deliberate, collected, and circumspective; who, when more than seventy years of age, appeared at the court of France, first, as an Agent, and afterwards as a Plenipotentiary, from the New American States. All ranks vied with each other in paying their court to this hoary-headed sage. Among the subjects of an absolute monarch, it became fashionable to admire the spirit of freedom, and the new member of the corps diplomatique was complimented in an hyperbole of panegyric\*. Public admiration is, however, no proof of merit; the frivolous frequently obtain it when it is denied to the wise. His negotiations with the court of France required uncommon abilities, and that he has succeeded in the arduous work, proves, that during his long life, he had practically studied the philosophy of man,

Whilst the war was waging in the Jerseys, Congress set on foot a loan of five millions for dollars, at four per cent. on the faith of the United States: the Americans, at the same time, opened their ports to all foreign merchantships, and found their wants in some degree relieved by the supplies brought to this new market. Then it became evident, how destructive a step it had been to delude the nation by a reduction of the number of seamen. The American cruizers swarmed in the European seas, and our homeward bound West-India ships fell a prey to these vigilant enemies; by which the planters in the islands, and the merchants at home, were alike involved in ruin. The losses in merchandize and shipping taken by the Americans, in the course of the year 1776, was computed to exceed a million sterling. In the ports of Spain and France, the American privateers found safety and assistance, and their prizes were there

\* The motto affixed to his bust at Paris, is, *Eripuit calo fulmen, sceptrumque tyrannis.*



openly fold, until our Ambassadors at those courts remonstrated against such a conduct, after which these captures were disposed of in a more secret and guarded manner. In the French West-India islands, the Americans were publicly countenanced, and even French ships received American commissions, and with few, and sometimes with no American seamen on board, made prey of the British commerce, insomuch that insurance on our homeward-bound ships was advanced to 23 per cent.

In the midst of these commercial distresses, the manufactures of England felt no dangerous stagnation; for those nations which now supplied the American markets, not being able from themselves to furnish the goods required, were obliged to seek a supply from hence; and further, in some degree, to compensate for the loss of our merchant ships, the King's frigates captured a great number of American vessels, both privateers and traders, which they carried into the ports of our West-India islands, and thereby relieved the pressing wants of the inhabitants.

Our commerce being thus rendered insecure, the Thames presented the unusual and melancholy sight of great numbers of foreign ships, particularly French, taking in cargoes of English commodities for various parts of Europe, the property of our own merchants, who were thus reduced to seek that protection under the colours of other nations, which the British flag used to afford to all the world.

The arsenals of France were filled with naval stores, and in every port of the kingdom as vigorous exertions were made to fit out a formidable navy, as if a war was actually waging, whilst the finances of that kingdom were entrusted to Mr. Necker, a native of Switzerland, and professing the  
protestant

protestant religion, but whose abilities were so conspicuous, as to raise him to this distinguished station, notwithstanding every obstacle arising from birth and prejudice. The war-like preparations in the kingdom of Spain, were also carried on with a degree of spirit unusual in that country. These hostile portents at length called forth the attention of ministry, and early in October, sixteen additional ships of the line were put into commission, a bounty of five pounds was offered for every able-bodied seaman, and press warrants were issued for the more effectual manning of the fleet: an embargo was laid on the exportation of provisions from Great Britain or Ireland, and a general fast appointed,

The Parliament assembled on the 31st of October, 1776. Early in the summer ten new peers had been created, who had been called up a few days before the close of the last session; three Barons had been advanced to Earldoms, and one to the dignity of a Viscount. In Ireland, the peerage was augmented by the creation of eighteen new Barons, besides several promotions in point of rank. Since the year 1766, no commoner had been advanced to an English peerage; but so great an addition at one time had never before been made but in the year 1711, when twelve new peers were created on the same day by Queen Anne. Such an exercise of the royal prerogative at that time, excited great clamour in the nation, as the design was evidently to obtain a majority in the House of Lords, which could not be secured without such an accession of numbers: but in the present instance no such necessity prompted to the bestowal of dignities, as decisive majorities had carried every ministerial measure, these distinctions therefore rather excited surprize than alarm, for the nation was no longer apprehensive of danger from the exercise of prerogative.

In the speech from the throne, the declaration of independence made by the Colonies was said to be caused by the daring and desperate spirit of the leaders there, whose object had ever been dominion and power, and whereby the unhappy people had been deluded and oppressed; that if their treason was suffered to take root, much mischief must grow from it, to the safety of the loyal Colonies, to the commerce of these kingdoms, and to the system of Europe. His Majesty, however, considered it as one great advantage derived from the object of the rebels being openly avowed, that it would produce unanimity at home, founded on the general conviction of the justice and necessity of our measures. He spoke of the recovery of Canada, and of the successes at New-York, as giving the strongest hopes of the most decisive good consequences, but notwithstanding so fair a prospect, it was necessary, at all events, to prepare for another campaign. Assurances of amity were said to continue to be received from the different powers of Europe, but in the present situation of affairs, it was expedient that the kingdom should be in a respectable state of defence. The speech concluded with saying, that no people ever enjoyed more happiness, or lived under a milder government, than those revolted Provinces: the improvements in every art of which they boasted, declared it. Their numbers, their wealth, their strength by sea and land, which they think sufficient to enable them to make head against the whole power of the mother country, are irrefragable proofs of it. His Majesty declared, that his desire was to restore to them the blessings of law and liberty, equally enjoyed by every British subject, which they have fatally and desperately exchanged for all the calamities of war and the arbitrary tyranny of their chiefs,

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The address of thanks for the speech, which was moved for in each House, was much objected to, and an amendment proposed : every part of the speech underwent free animadversion. It was said, that the American leaders who governed the people with so despotic a rule, were plain men, invested with no means of enforcing obedience, their estates were not larger than those of several private gentlemen in every county in England, and it was asked, if it could be supposed that a people who are described as violent republicans, should all at once have changed their nature, and resigned all their faculties of thinking, and powers of acting, to a few obscure despots ? That unanimity at home should be produced by this act of desperation in the American States, was treated as a visionary expectation. It was asked, what reason is there now to expect unanimity in such measures as have been uniformly productive of all the mischiefs which have been foreseen and predicted ? No prophecies were ever more accurately fulfilled ; and at the time when the Empire is dismembered, and America is lost for ever ; when foreign war is impending, the minister flatters himself that unanimity will prevail in prosecuting the same ruinous system. It was insisted, that no alternative now remained but recalling the troops from America, repealing the restrictive laws laid on the Colonies, and complying with all that America had asked, or to acknowledge her independence, conclude a commercial and fæderal treaty of union with her, and endeavour to regain all that we can of those glorious advantages which in the high career of our pride, injustice and madness, we had scattered abroad. A war with France and Spain was foretold to be at no great distance, if we should persist in coercive measures towards America. Grievous and painful as the loss of America would be, it was not however the upshot of calamity. The question of the Americans being our friends, or being in confirmed enmity,



mity, and in compact with our natural enemies, went perhaps to that of our existence as a state.

The ministerial members, on the other hand, defended each passage of the speech, as founded in truth, and breathing sentiments of tender affection worthy the royal breast. The amendment was objected to as ill-timed; the misconduct of ministers, if such could be proved, was a fit subject for parliamentary enquiry in the course of the session, but ought not to be entered upon when the business before the House was merely to express the affection and loyalty of Parliament to their Sovereign. Shall we, said they, now resign all the benefits which we have derived from our Colonies, and thus surrender up all our sources of power and opulence, tamely suffering ourselves to be degraded from that rank which we now hold in the political system of mankind, or shall we not rather compel our rebellious Colonies to yield us that obedience to which we are entitled? It was said, that the rapid successes of the King's troops in America, gave the most flattering encouragement to hope for a speedy and happy termination of the contest, and that the next campaign would undoubtedly be conclusive. In the House of Lords, one of the new created peers \* treated the apprehension of foreign interference as a vain fear: it being repugnant to the interest of any European state, to see the Continent of British America erect itself into an independent state; such a revolution, he said, would endanger all their possessions in the West-Indies, and in the southern Continent. The address was carried in the House of Commons, by 232 to 83: in the House of Lords, by 91 to 26. In the latter House, the proposed amendment was entered as a protest, and signed by fourteen peers†.

\* Lord Cardiffe, the eldest son of the Earl of Bute.

† Richmond, Devonshire, Portland, Manchester, Rockingham, Scarborough, King, Craven, Fitzwilliam, Abingdon, De Ferrars, Bf-fingham, Abergavenny, and Ponsonby.

The strong support which government received, having now deprived opposition of every prospect of being able to effect a change of measures, many members in both Houses who had combated the American war in every stage of its advancement, now regularly withdrew themselves, whenever any question which had that for its object, was under the discussion of Parliament; this conduct was first adopted, when the resolutions were moved for the number of seamen and land-forces to serve in the ensuing year, and an instance of a similar secession, in which Mr. Pitt was included, was given in the year 1738, after the ratification of the convention with Spain. It was then caused by the pacific disposition of the minister towards Spain, to which his opposers charged him with sacrificing the honour and interests of the nation; the opposition now, charged the minister with having made the same sacrifice to a different propensity. "There is no such thing," said the seceders, in apology for their conduct, "as saving a people against their will. The repeated and continual warnings which have been given of the dangers resulting from those ruinous measures which were pursuing, and of the fatal precipice which must terminate that mad career in which they were blindly and desperately driven, having had no effect, to what purpose is it any longer to withstand a force so overbearing and resistless, upon which the weapons of reason and argument can make no impression?" This conduct, however, was not adhered to throughout the session.

The only bills that were passed during this session of Parliament respecting America, were, the act, enabling the Admiralty to grant commissions or letters of marque and reprisal to private merchantships, authorizing them to take and make prize of all vessels, with their effects, belonging to any of the inhabitants of the thirteen revolted Colonies; and an act,

to enable his Majesty to secure and detain persons charged with, or suspected of, the crime of high treason committed in America, or on the high seas, or the crime of piracy. The first of these bills occasioned very little debate. Lord Marchmont, in the House of Lords, moved, that "letters of permission" should be substituted in the place of "letters of marque," the latter as he conceived being only applicable to reprisals on a foreign enemy, which amendment was adopted. The other bill underwent a more minute and rigid discussion, as it went to a partial suspension of the habeas corpus act, by giving to the crown a power of committing to any special place of confinement within any part of the British dominions, such persons as came within the description of the act. Several alterations were introduced into the bill whilst it was depending in the House of Commons, and the power of committing was restricted by the expression, "within the realm," which in the original draught had stood, "in any part of his Majesty's dominions;" and the operation of the bill was limited to crimes committed out of the realm. This act was to continue in force until the 31st of December, 1777, but the time of its duration has been ever since annually extended.

As the accounts of expences incurred during the preceding year came to be laid before the committee of supply, many objections were raised to the enormity of the debts which had been incurred the extraordinary unprovided services of the war were stated by the minister to amount to upwards of two millions: a sum which exceeded the demand upon the head of extraordinaries in any year of the last war, when very great fleets and armies were maintained in ever quarter of the globe. The rate at which transports were engaged by government, and the contract for supplying the army in America with rum, were described as wanton wastes of the

the public treasure. Some severe strictures were passed, not only on the manner of making contracts, but on the mischief resulting from such contracts being entered into with members of the House of Commons; whereby the public money was not only squandered, but the persons who received it were bought to betray the interests of their constituents.

In addition to the money which had been voted the former session to the Landgrave of Hesse Cassel, in consequence of the treaty entered into with him for the hire of a certain number of his troops, the sum of 44,000*l.* now appeared. The minister being called upon to explain this transaction, stated it to be levy-money, which, after the ratification of the treaty, had been demanded by the Landgrave, he having discovered that the treaty of 1755, which was considered as the basis of the present, warranted such a claim. Nor was this extraordinary requisition the only one made by this Prince, in consequence of the humiliating state of dependence into which Great Britain was brought, by obtaining the assistance of his troops: the minister some time after, moved for the payment of above 40,000*l.* to the Landgrave, for the expences of foreign hospitals in the last war. Soon after the peace of 1763, Commissioners had been appointed to adjust, liquidate, and settle the claims made by German Princes. In prosecuting this business, the most gross and flagrant impositions had been detected, and sixty or seventy per cent. had frequently been struck off from the original demand. The claim now revived had then been made, but was rejected totally, as well as many others, they appearing to be altogether ill-founded. Those who were no friends to the ministry, represented this demand as a foreign tribute, exacted from us in the hour of our distress. The nation, said they, is to submit to every shameful



shameful imposition which can be practised upon it by the petty states of Germany, lest they should withdraw their mercenaries from the support of our fatal ministerial civil war, before they have put the last hand to the ruin or extermination of the British nation on both sides the Atlantic. Even many of the firm friends to administration shewed a full determination to reject this claim, although the minister urged the justice and propriety of it with a laboured speciousness and solicitous vehemence. However, the payment was at length voted in a thin House by a small majority \*.

The court had now been for some years embarrassed with a heavy and encreasing load of debt on the civil list; which the posture of public affairs had caused to be held back from Parliament, until the poverty of the crown had become so disgraceful as to be no longer supportable. An account of the fatal reverse of fortune in America, by the defeat at Trenton, and its consequences, had reached England, so that the prospect of a speedy termination of the war, with which ministers had amused themselves and the nation, was clouded, if not entirely lost, and the supplies necessary for the service of the current year were enormously great. In this predicament, when every thing tended to sour the temper of Parliament, Lord North was compelled to enter on the unwelcome business of announcing to the House of Commons the exhausted state of the royal coffers; for which purpose he delivered a message from his Majesty †, acquainting the House with the difficulties which he laboured under, from debts incurred by the expences of the household and the civil government, amounting on the 5th of the preceding January to upwards of 600,000l.

\* 50 to 42.

† April 9, 1777.

and expressing his reliance on the loyalty and affection of his faithful Commons, for making some farther provision for the better support of his household, and of the honour and dignity of the crown. Half a million had been granted by Parliament in 1769, to discharge the debts then incurred on the civil list; the minister however, left none of his usual friends upon this trying occasion. He grounded the propriety of the augmentation of the civil list, upon the plea that the revenue which had been appropriated to the supply of that establishment, had exceeded the yearly sum of 800,000*l.* with which it was charged, by upwards of 100,000*l.* each year, which was the additional income asked. The great increase in the value of all the necessaries of life, and every article of expence, during the last fifty years, was insisted on, and it was observed, that although this advancement was felt by the nobility and gentry, yet they were compensated for it by a considerable increase in the rents of their estates; was then the Sovereign to be the only gentleman in his dominions, who was not to feel the benefit arising from this increase of property? On the contrary, was he to be impoverished in an inverse proportion to the general happiness and increased wealth of his people? The numerous Royal issue was likewise adverted to, as a considerable addition to the expences of the crown.

The opposition were divided in opinion on this occasion. Some among them were willing to discharge the present debt, but did not choose to make any augmentation in future to the revenue; whilst others strenuously insisted, that the whole business should undergo a full parliamentary discussion before any money should be voted to discharge the debt. They instanced the long reign of George the Second, throughout which, no application was made to Parliament

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for the discharge of any debts. In the year 1746, indeed the sum of 450,000*l.* was applied for by the King in his Speech at opening the session, because the funds appropriated for the support of his civil government, had, for some years, fallen short of the revenue intended, but no complaint was made of the insufficiency of the sum at which the civil list revenue was settled. It was insisted, that the revenues of the crown were not only fully sufficient for all rational purposes of dignity and magnificence, but that they already far exceeded those boundaries which were consistent with the nature of a limited monarchy, and with the safety of a constitution founded on freedom. It appeared by the papers laid before Parliament, that half a million had been expended under the head of the Board of Works, without specifying to whom, or for what purpose it was issued. The two Secretaries of the Treasury had received, for secret service money, 285,000*l.* and it was observed, that the Treasury was not the proper channel through which money expended for such purposes ought to pass, for money without stint or public account, should be entrusted to the Secretaries of State, for the purpose of procuring foreign intelligence; but the officers of the Treasury have no intercourse with foreign states, and can therefore be only agents for misapplying such large sums to the purposes of bribery and corruption.

The House, at length, voted 618,340*l.* to enable his Majesty to discharge the debts incurred by his civil government, and that the sum of 100,000*l.* a year, over and above the sum of 800,000*l.* be granted, as a farther provision, for the better support of his Majesty's household, and the honour and dignity of the crown. This resolution was carried in the House of Commons, by 231 to 109, and in the

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the House of Lords, by 96 to 20. A protest signed by fourteen Peers, was entered on the Journals\*.

The attention of the nation had now, for some time, been solely directed to the western world, but some proceedings on the coast of Coromandel, drew the public regard towards the east. The presidency of Madras had formed a very close league with Mahommed Aly Cawn, Nabob of Arcot; a Tartarian Prince, who possessed an inland territory, equally distant from the two European settlements of Madras and Pondicherry. From a close attention to his army, this Asiatic had become formidable, and his connection with the civil and military powers at the English settlement; procured him the assistance of British officers to discipline and command his troops. Whatever were his views in keeping on foot so large an army, he was obliged to exhaust his treasury, to preserve the friendship of his allies; for European rapacity, when exercised on Asiatic Princes, is insatiable. It became therefore necessary, that new sources of wealth should be opened to supply his continual waste: he therefore proposed to the Presidency to undertake an expedition against the Rajah, or King of Tanjour, a Mahrattah Prince, who resided several leagues to the southward of Pondicherry, the situation of whose country towards the extremity of the peninsula, had hitherto secured it against the Mahometan conquerors of Hindostan. This country had been long in alliance with the English, in consequence of which his father had been attacked by the French General Lally during the last war, but that incursion was bravely repelled. Pertoupa Sing, father of the present Rajah, was the first Indian Prince with

\* Richmond, Devonshire; Portland, Manchester, Rockingham, Thanet, King, Archer, Fitzwilliam, Abingdon, Torrington, Effingham, Abergavenny, and Stamford.



whom the English concluded a treaty, which Tuligee, the present King, ratified on his succession.

The pretext on which the Nabob of Arcot waged war against this Prince, was founded on an unsatisfied claim of a large sum of money, which the Rajah pleaded his inability to pay. The government of Madras, however, supported the Nabob in his quarrel, and even put the forces of the Company under the command of the Nabob's son, to make war on Tanjour. Such a force was irresistible; the Rajah was completely despoiled, and his subjects plundered. Every thing which the east holds sacred was violated; the apartments of the women were forced, their persons stripped of the ornaments they wore. Effects to the amount of ten millions of pagodas were carried off, and the revenues of the country, during the two years and half that the Nabob usurped them, amounted to fifty lacks of pagodas more. The booty collected in this marauding expedition, served to palliate the enormity of the outrage, and to render the perpetrators insensible to the disgrace and dishonour which they had brought on the English name and character.

When the news of this transaction reached the Court of Directors, the strongest resentment was shewn, and measures were concerted to make all possible restitution to the injured Rajah. For this purpose, Lord Pigot was sent out as Governor of Madras, a nobleman highly respected in that settlement, for his able and effectual defence of it seventeen years before, against the attacks of the French. He arrived at his government the latter end of the year 1775; but the opposition which he met with from the majority of the Council, and the Commander in Chief of the forces, was such, as entirely frustrated all the purposes which he was appointed to effect. Not discouraged by these difficulties,

difficulties, but prompted by an impetuous and violent temper, by an undue exertion of his authority, he put the Commander in Chief, and two of the Council, under arrest. The Nabob was ever at hand to foment the dissention, and by his intrigues, the Governor himself was soon after seized by the officer next in command, and kept in close confinement. Representations of these events were immediately transmitted to Europe, and the Nabob, who had been the principal cause of these commotions, sent a gentleman to England as his agent, through whose interposition, both the Company and the Ministry might be enabled to decide between the contending parties.

When the business came first to be discussed, a large majority of the proprietors voted for the re-instating Lord Pigot, and punishing those who had been so daring as to dispossess him. The Court of Directors were more divided in opinion; at length the weight of government was thrown in, and the Governor and Council of Madras were ordered home, in order that their conduct might undergo a legal scrutiny.

From this determination of the East-India Company, Governor Johnstone made an appeal to the House of Commons\*, by moving five resolutions, which tended to justify the conduct of Lord Pigot, to condemn that of his opponents, and to annul the resolution for his recal: but in this attempt he was unsuccessful, by a negative being put to each. Lord Pigot did not long survive the loss of his liberty, and those of the Company's servants, who had been the principal actors in this business, were afterwards sued in the King's name, by the Attorney General, in the court of King's-Bench, and sentenced to pay a fine of 1000*l.* each.

\* May 22, 1777.

On the 30th of May, 1777, the Earl of Chatham moved, in the House of Lords, to address his Majesty, that the most speedy and effectual measures might be taken for putting a stop to hostilities in America, and for the removal of accumulated grievances. He particularly insisted upon the necessity of immediately adopting the proposed measure, from the imminent danger to which, in our present situation, we were exposed, from the House of Bourbon: a treaty between France and America, he said, was then depending, whereby we should not only lose the vast and increasing commerce of our Colonies, but that commerce and those advantages would be acquired by our natural enemies. He insisted, as he had done upon all former occasions, that it was impracticable to conquer America, and declared in that strong and emphatic language, by which that great man was peculiarly distinguished, that we were waging war with America, exposed to a masked battery of France, which would, 'ere long, open upon us, and sweep us away.

This motion brought the arguments for and against the American war, again under discussion. The Earl of Mansfield objected to Parliament interposing respecting peace or war, to determine upon which, he considered as the peculiar right of the executive part of the constitution. He knew, he said, but of two instances in which Parliament had interposed in such a manner: the one was by a resolution entered on their Journals in the reign of Queen Anne, never to make peace with France and Spain, whilst a branch of the Bourbon family should sit on the throne of the latter kingdom: the other, in the reign of George the Second, that no peace should be made with Spain, unless the court of Madrid renounced the right which it claimed of searching British ships in the West-Indies, neither of which resolutions had been adhered to. This nobleman had ever  
strongly

strongly enforced coercive measures against America, and in a former debate had observed, that we had gone too far to recede, that we had passed the Rubicon, and we must either conquer or perish\*. The Earl of Sandwich observed, that the Americans had no better opinion of those in opposition than of those in power, and that no change which could take place either in men or measures, would work a change either in the temper or conduct of the Colonies. The motion was rejected by a majority of 99 to 28.

The supplies for the service of the year 1777, amounted to 12,895,543<sup>1</sup>/<sub>4</sub>. for the raising of which, the land-tax was continued

\* This allusion to the conduct of Julius Cæsar was extremely *mal-a-propos*. That General caused his army to pass the Rubicon, in violation of the established laws of his country, and for the purpose of enslaving Rome: it might, therefore, have been asked, for what purpose have we metaphorically, passed the Rubicon?

	†	N	A	V	Y.
45,000 seamen, ordinary, building and repairing ships	-	-	-	-	3,206,305
Towards the discharge of the Navy debt	-	-	-	-	1,000,000
Greenwich Hospital	-	-	-	-	4,000

4,210,305

	A	R	M	Y.
20,752 effective men in Great Britain, Jersey and Guernsey, including every contingency of the establishment	-	-	-	1,751,122
Out-pensioners in Chelsea Hospital	-	-	-	105,279
Extraordinaries for Land-service, from January 31, 1776, to February 1, 1777	-	-	-	1,200,602
Five Hanoverian battalions at Gibraltar and Minorca	-	-	-	56,074
German troops serving in America, including the subsidies to their Princes, of which 397,641. was to the Landgrave of Hesse	-	-	-	660,489

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continued at four shillings in the pound: the usual duties were continued upon malt, &c. the sinking fund to January 5, 1777, after the appropriation of the last year, yielded a surplus of 295,832*l.* and the next quarter ending the 5th of April, produced 760,363*l.* The growing produce of that fund was charged with 1,939,636*l.* a million and an half in Exchequer bills was continued; five millions

Ordinance for Land-service, 1777	320,112	} 592,817
Ditto for 1776, not provided for	272,705	

£.  
4,366,383

#### MISCELLANEOUS SERVICES.

Roads and bridges in the Highlands of North

Britain	-	-	-	6,997
Civil Establishments in America	-	-	-	22,262
in Africa	-	-	-	5,550
To the Trustees of the British Museum	-	-	-	3,000
To the Landgrave of Hesse, on account of				
Hospitals during the late war in Germany	-	-	-	41,820
For the relief of Americans suffering for their				
attachment to his Majesty's government	-	-	-	32,934
Maintaining and employing Convicts on the				
river Thames	-	-	-	1,879
Sums issued in pursuance of Addresses of the				
House of Commons	-	-	-	13,060
Printing Journals of the House of Commons	-	-	-	600
Forts on the coast of Africa	-	-	-	13,000
Enquiries made by order of the House into the				
State of the Poor	-	-	-	500

				141,602
Exchequer Bills discharged	-	-	-	1,500,000
Last year's Vote of Credit discharged	-	-	-	1,000,000
Arrears and Debts upon the Civil List on Jan. 5, 1777	-	-	-	618,340
To pay off the Prizes in the Lottery of the year 1776	-	-	-	500,000
Deficiencies on Land, 250,000 <i>l.</i> Malt, 200,000 <i>l.</i> Fund in				
1758, 44,600 <i>l.</i> and Grants for 1776, 61,288 <i>l.</i>	-	-	-	555,888

were

were raised by annuities, and 500,000*l.* by a lottery, the whole produce of which was to be distributed in prizes, and paid in money in March, 1778. 200,000*l.* which had been brought into the Exchequer by the executors of the late Lord Holland, formerly pay-master of the forces, was applied to the current service, and some savings and surpluses in the Exchequer, on various accounts, which amounted to 7,701*l.* completed the ways and means.

The subscribers to the loan of five millions, were to receive 4*l.* per cent. per annum, and for every 100*l.* an additional interest of 10*s.* for ten years; also a lottery ticket at the rate of 10*l.* For the payment of the interest on this funded debt, a tax was laid of one guinea on each male servant, not employed in agriculture, husbandry or trade; additional duties were laid on glass and on stamps, and a duty on auctioneers, and on goods sold by auction. At the same time, a former duty which had been laid on silver plate was repealed. Besides these supplies, a vote of credit was passed for another million. The Parliament rose on the 6th of June.

The conduct of the Dutch, particularly in the West Indies, had caused a memorial to be presented by Sir Joseph Yorke, the British minister at the Hague, to the States General of the United Provinces, complaining of the conduct of M. Van Graaf, their Governor of the island of St. Eustatia, in having permitted an American pirate to make prize of an English vessel within cannon shot of that island; of having returned the salute of a rebel frigate, and of having promoted an illicit commerce, and connived at the hostile equipments of Americans. Attestations of these charges being annexed, the memorial peremptorily insisted

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on the dismissal and immediate recal of the Governor. The States replied by their envoy at London. They complained of the menacing tone of the memorial, as too highly strained, and beyond that which ought to take place between two sovereign and independent powers, united for many years by the ties of good harmony and mutual friendship; they, however, disavowed the conduct of their Governor, and acquainted his Majesty with their having ordered M. Van Graaf home to render an account of his conduct. It does not, however, appear that he was suspended.!

In America, the army under Sir William Howe was unable to take the field early in the summer, for want of the necessary camp equipage, which did not arrive until the latter end of May. In the mean time a detachment of 500 men, under the command of Lieutenant Colonel Bird, was sent up the North river, to destroy a very large magazine which the Americans had collected at Peek's Kill, 50 miles from York Island. Vast stores of rum, molasses, flour and provisions of all kinds, with some military stores, were destroyed\*. A month after, Major-General Tryon, Governor of New York, at the head of 1800 men, penetrated into the Province of Connecticut, and destroyed two large magazines deposited at Danbury and Ridgefield, which consisted of provisions and military stores. In destroying the magazines the towns were also reduced to ashes. The American General Wooster was killed in a skirmish on the return of the party. These successes, previous to the opening of the campaign, made a figure in a Gazette, and served to keep up the spirits of the nation; but they do not appear to have had any visible effect on the operations of the American army during the year. They certainly tended to impoverish the new States,

\* March 22, 1777.

by rendering it necessary to collect fresh stores, but these the country was able to furnish, and the credit of Congress, in some way or other, to procure.

The Americans were not backward in retaliating these losses: a body of troops under Colonel Meigs, who had served with considerable reputation in the expedition against Quebec, embarked in whale-boats at Connecticut, and proceeded to the East-side of Long Island, to a place called Sag-harbour, where a quantity of forage, grain and other necessaries was collected for the use of the army. A company of foot, and an armed schooner, defended the post, but were soon compelled to submit. A number of small vessels which lay in the harbour were burnt, every thing on shore was destroyed, and ninety prisoners carried off\*. Another detachment, from Providence, under Colonel Briton, made an incursion into Rhode Island, and carried off, by surprize, General Prescott, who commanded there; that officer had been before a prisoner to the Americans on the taking of St. John's on Lake Champlain. The American General Lee had been captured the year before by a similar exploit performed by Colonel Harcourt, at the head of a few dragoons.

In consequence of our having regained possession of the Lakes, a design was formed of making an irruption from Canada into the Northern Colonies, and by stretching forward to Albany, (a town situated 150 miles up Hudson's river, and which in the last war had been the head quarters for the forces,) to secure the entire navigation of that river, which separates the northern from the middle and southern Colonies. A very considerable army, composed of British and German troops, with the most ample ap-

\* May 23, 1777.

pointments,



pointments, and a fine train of artillery, was destined to execute this important plan; and Lieutenant General Burgoyne, who had distinguished himself for his bravery, spirit and success, during the last war, in repelling the attacks of the Spaniards upon the kingdom of Portugal, was appointed to the command. To strike terror into the Americans, and with a view to hasten their return to obedience, a body of savages had been engaged by a profusion of presents, to act as allies of the King of Great Britain against his Colonies \*. Sir Guy Carleton now quitted the government of Canada, being succeeded in his command by General Haldimand, a native of Sweden. This expedition was in great forwardness when Sir William Howe's army took the field.

The first and principal object for the southern army was the reduction of Philadelphia; but the secretary for the Colonies had recommended to the Commander in Chief, to make a warm diversion on the coasts of Massachusetts Bay and New Hampshire, in order to weaken the American force in the back settlements: but though a requisition of 15,000 men had been made to reinforce the army, only 2900 were sent; notwithstanding which deficiency, the official dispatches expressed the fullest expectations that every measure which had been planned would be effected. The force which had been sufficient to take possession of New York, Rhode Island, and other strong holds of the enemy, after the necessary divisions were made for preserving the variety of posts which had been gained, could not be equally suitable to the making of new conquests, the

\* It appeared by papers laid before the House of Commons, that the expence of retaining these Indians, amounted to 150,000l. and not more than seven or eight hundred were said to have been in the field at any one time.

number of troops for the field being thereby necessarily decreased. The General and Admiral represented this to the minister, and that the diversion to the northward must be consequently laid aside. Sir Guy Carleton, who was then in Quebec, was informed, that General Howe would probably be in Pennsylvania, at the time when the northern army would be ready to enter the Province of New York. That little assistance was to be expected from him to facilitate its approach, as a want of sufficient strength in his own army would probably not admit of his detaching a corps to act up Hudson's River in the beginning of the campaign.

Washington, who was now appointed to the distinguished rank of dictator, commanded an army much superior to that in the last campaign; the Provincial officers were much improved, and several French officers had arrived, together with fifty pieces of brass cannon †. The Americans occupied a very strong and advantageous camp in the Jerseys, which the British General endeavoured by stratagem to induce their General to quit, in hopes of bringing on a general engagement, well knowing that with such an enemy in force, and hanging upon his rear, it would be impossible for him to penetrate through the Jerseys, and pass his army across the Delaware, where the enemy

† The Marquis Fayette, nephew to M. de Noailles, the French Ambassador at the court of London, who had resided with his uncle for some time, and who lived in the most unreserved intimacy with many of the confidential servants of the crown, having obtained very important information concerning the plan of operations for the campaign, particularly respecting the northern army, suddenly withdrew to France, and without communicating his intentions to any of his relations, or obtaining leave of absence from his court, which, as an officer in the French King's service was requisite, he embarked on board a vessel bound to America, to serve in the army commanded by Washington.

had

had a corps ready to dispute the passage. But the caution of that Commander was not to be circumvented; so that Howe, after having made a feint of retiring from the American lines, which drew after it no decisive consequence, was obliged to relinquish his attempt, and with great delay and danger to adopt a new and distant plan of operation, by embarking his army in transports, and proceeding to the scene of action by sea. Waiting for the arrival of Sir Henry Clinton from Europe, who was to command at New York, and to hear from General Burgoyne, retarded the sailing of the fleet until the 23d of July. The main army which embarked consisted of 14,000 men; 8500 were left at New York, exclusive of the sick and recovering; and 3000 defended Rhode Island.

The fleet arrived at the mouth of the Delaware on the 30th, and if a landing could have been effected on the southern coast near Wilmington, the service would have received a most essential benefit; but a number of floating batteries, fire-ships and fire-rafts, had been collected by the enemy, which would have endangered the destruction of the fleet in the night. There were only eight or nine pilots on board, and no boats capable of withstanding the row-boats and gallies\*. These circumstances rendered an attempt to land extremely hazardous. The country too was very marshy, and the roads formed upon narrow causeways, intersected by creeks†. These difficulties and dangers determined the land and naval commander to proceed two degrees farther to the southward, to Chesapeak Bay; but in this course they were greatly impeded by contrary winds, the wind blowing generally from some point of the southward in that

\* Evidence of Sir Andrew Snape Hammond before the House of Commons.

† Sir William Howe's narrative.

season of the year. On the 16th of August the whole fleet entered the Bay, and proceeded through a difficult and dangerous navigation to the mouth of the river Elk, in which progress the skill and activity of the Admiral appeared to great advantage. The whole army landed in safety on the 25th. Washington, as soon as the destination of the fleet was known (for the alarm had been spread from Boston even to South Carolina), passed the Delaware with his army, consisting of 15,000 men, and marched to cover Philadelphia. The two armies approached each other at a small stream called Brandywine-creek, which falls into the Delaware, about twenty miles below the city. After several movements on each side, Sir William Howe, by a masterly display of generalship, found a favourable opportunity for attacking the American army\*. The Hessians, who came first into action, behaved with such intrepidity as nothing could resist. The enemy every where broken and dismayed, fled. A few hours more day-light might have annihilated their army, but under cover of the night, assisted by a knowledge of the country, they retreated †. No time appears to have been lost in pursuing the fugitives, consistent with the safety of the troops, in a country rendered every where strong by nature, hilly, and covered with wood, intersected by ravines, creeks and marshy grounds, where little or no knowledge can be obtained by reconnoitering ‡. Washington did every thing becoming a skilful commander

\* Sept 11, 1777.

† Lord George Germaine stated to the House of Commons, (Dec. 2, 1777) General Howe's numbers in this action to be 13,000 rank and file, doing duty, and Washington's force to be 15,000, exclusive of militia. Officers of every denomination, are considered as an addition of about one sixth, to the numbers of rank and file.

‡ Evidence of Major General Grey before the House of Commons. The evidence of Lord Cornwallis went likewise to prove, that the General lost no time after the action; but a petulant detractor has asserted the contrary.



to impede the progress of the victors, but unable to protect the city, he abandoned it to its fate, and retreated ten miles to the north of German town, whilst the combined army soon after encamped at that village. The Earl of Cornwallis took possession of Philadelphia on the 26th of September.

In the mean time Lord Howe proceeded with the fleet round to the Delaware, but an unfortunate oversight had been committed in neglecting to take possession of a station on the eastern side of the river, called Red Bank, which the enemy afterwards fortified, and in an unsuccessful attempt to dispossess them, Colonel Donop, of the Hessians, and many brave men, lost their lives\*. It was not until the 15th of November that the navigation of the river was opened as high as the city, by the reduction of Mud Island, and the removal of the *chevaux-de-frize*, in which service the *Augusta*, a sixty gun ship, and a sloop, went aground, and were destroyed.

A few days after the arrival of the King's troops at Philadelphia, General Washington formed a design of surprising the army at Germantown, and early in the morning of the 4th of October, attacked the outposts with great fury. The intrepid behaviour of Lieutenant Colonel Musgrave stopped the advances of the assailants, and gave time for Major General Grey, who had been apprized of the attack by Sir William Howe, to march a body of troops to their relief, and the army being quickly assembled, the Americans were driven back with great slaughter.

The army was now plentifully supplied with provisions from the adjacent country, the farmers preferring that

\* October 22, 1777:

market to any other, because the only one where they could receive payment for their commodities in gold and silver. They had the farther advantage of providing themselves and families with a variety of necessary articles, which could only be had in those places which were possessed by the British army and navy. It is supposed that Washington, through policy, connived at this kind of commerce, knowing that an influx of gold and silver was strengthening his country in a most important point\*.

The noble, populous, and wealthy city of Philadelphia, was now subdued; but the rebel army remained unbroken. It was even augmented in numbers, improved in discipline, habituated to service, and though degraded by a defeat and a repulse, yet secure in the persuasion that the nature of their country would ever protect them from a decisive overthrow. Such successes on the part of Great Britain, could yield little rational hopes of final triumph in the war against America, even if conquests should continue to spread in the like gradual manner as they had done during two campaigns. But such an expectancy, so short of the sanguine views entertained in England, was entirely vain. From whence could the force be drawn, that should carry on an active war during the next campaign, supposing the northern army had accomplished its purpose, and penetrated to Albany? Had that event taken place, terror alone must have effected what force could not have done, and no indications were shewn by the Colonists, when their affairs wore the most disastrous appearance, of a disposition to yield unconditional submission to this empire, and how was so extensive a country to be governed by the sword? Every conquest weakened the operating force equally as a defeat; but such

\* Sir William Howe's narrative, page 43.

a regular course of events was not destined to take place, and it is now necessary to speak of the expedition from Canada, and to follow the northern army in its progress.

Lieutenant General Burgoyne proceeded with his army, consisting of upwards of 7000 men, across Lake Champlain, and arrived before Ticonderoga on the 2d of July, 1777. General St. Clare, who commanded that fortress, abandoned it in the night of the 6th, before any attack could be made; for which conduct he was afterwards tried by a Court-martial, and found guilty of neglect of duty. A small part of the garrison reached Fort Edward, situated on Hudson's river, twenty-five miles from Lake George, where General Schuyler commanded, but the far greater number was either killed, made prisoners, or driven into the woods, where many perished.

The General sent immediate notice of this to Sir William Howe, who was waiting for advices from the northern army, before he would venture to sail towards the southward; but so favourable an onset seemed to promise a successful progress to Albany, therefore leaving general instructions with Sir Henry Clinton, to act offensively, in case an opportunity should offer, consistent with the security of New York, the Commander in Chief proceeded, as has been already related.

In the mean time Burgoyne met with such unparalleled difficulties in advancing towards Fort Edward, that it was the end of July before he appeared there. The Americans immediately abandoned the place and retreated to Saratoga. The savages who accompanied the British army, were not to be withheld, by the influence and authority of the General,

neral, from acts of cruelty towards the helpless and peaceable inhabitants of these secluded districts. These barbarities were represented through the country in all their horrors, and most probably with many exaggerations, which roused the people every where to stand upon their defence \*. The dread of the tomahawk and scalping-knife inspired the most timid with courage. Impelled by despair, the Americans assembled in great numbers, whilst the combined army having crossed Hudson's River, advanced towards the Plains of Saratoga. Although payment in money was offered for whatever provisions should be brought to the camp, yet no supply was obtained. Foraging parties were sent out, which were betrayed by pretended friends, surprized, killed or made prisoners.

Besides the army under General Burgoyne, a body of troops, consisting of near 700 men, with a party of Indians:

\* General Burgoyne issued a proclamation, inviting the inhabitants to return to their allegiance, and threatening them with the merciless ravages of the Indians, if they continued in rebellion. He afterwards declared in the House of Commons, that his design herein was to excite obedience; first, by encouragement, and next by the threat, not the commission of severity: to speak daggers but to use none. He instanced two wounded provincial officers, who were brought off in the midst of fire, upon the backs of Indians, and a Captain and his whole detachment, placed in ambuscade, were brought prisoners by Indians, without a man hurt, though they were placed for the special purpose of destroying those Indians. The case of Miss Macree excepted, which was accidental, not premeditated cruelty; he said, the stories on which such charges were founded, were fabricated by committees, and propagated in newspapers, for temporary purposes. The General stipulated with the Indians, that they should receive compensation for prisoners, and that not only such compensation should be withheld, but a strict account demanded for scalps. They were prohibited from scalping the wounded, or even the dying, and the persons of aged men, women, children, and prisoners, were declared to be sacred even in assaults.



commanded by Lieut. Colonel St. Leger, proceeded by the Mohawk River, and invested Fort Stanwix, which was commanded by Colonel Gansevoort, a name which ought to be transmitted on account of the unshaken firmness with which he defended the place. A body of Americans advancing to its relief, were defeated by a party of Indians, but several of their most respected warriors fell in the action, which, together with the restraints which were laid on their savage thirst of blood, gave them a hearty dislike of the service. St. Leger, in vain attempted, both by offers of advantageous terms, upon surrender, and by threats of utter extirpation, in case of obstinate perseverance, to gain possession of the place; and the approach of Arnold with a considerable army, obliged him at length to retire from the fort, the Indians who accompanied him having hastily resolved to return home; but before they separated themselves, they committed depredations upon their allies with impunity. This defection, and the enemy he had to encounter, obliged St. Leger to retire to Canada, and abandon General Burgoyne with the main body of the troops, which were now reduced to 3,500 fighting men, not 2000 of which were British; the Canadians and Provincials having, in general, deserted. The army thus reduced in numbers, engaged the provincial militia commanded by Major-General Gates, an Englishman, and who had served as an officer during the last war. The former remained masters of the field, and the latter retired in good order\*.

The perilous situation of the northern army being now known at New York, Sir Henry Clinton, with a considerable body of troops, embarked in armed galleys and small vessels, and having some frigates under the command

\* September 19, 1777.

of Commodore Hotham, proceeded up Hudson's River, with a view to gain Albany, and thereby open a communication with Burgoyne. Some forts were taken and destroyed. Sir James Wallace, with a squadron of small frigates, and General Vaughan, at the head of a body of light troops, spread terror and destruction wherever they went; the village of *Æsopus* was reduced to ashes†, and every principle of humanity seemed to be absorbed in a zeal for extirpating irreclaimable rebels.

Various were the attempts made to convey information to General Burgoyne of the approach of succours, but they were in general defeated by the treachery of some entrusted with the secret. On the 7th of October, Burgoyne fought a desperate battle with Arnold, but was obliged to retreat into his camp, where he was soon after attacked with great fury, but in this onset Arnold received a wound, and his troops were soon after repulsed. The combined army now lay a few miles south of Saratoga, on the way to Albany; to the latter place it was impracticable to penetrate, but to the former it effected a retreat. The only remaining hope consisted in retiring to Fort Edward, but no more than three days provision, upon short allowance, remained in store, and the camp was invested with an army of 16,000 men, which occupied every pass. In this extremity a council of war was called on the 13th of October, composed of the Generals, field officers, and Captains commanding cores, wherein it was resolved to open a treaty with Major-General Gates, and three days after a convention was signed, whereby it was stipulated, that the British and Hessian troops should march out of the camp with all the honours of war, and their artillery, to a place appointed, where they should de-

† October 16, 1777.

posit their arms. They were to be allowed a free embarkation and passage from Boston to Europe, on condition of their not serving again in America during the war: the officers to be admitted on parole, and to wear their side arms; all private property to remain unmolested, and public stores of all kinds to be delivered up upon honour.

Whilst the vanquished army was employed in the irksome task of piling their arms, the American General felt as an Englishman; and to alleviate, as much as possible, the painful situation of his countrymen, drew off his whole army, so that none of his men were spectators of the transaction. It is truly memorable, that this *devoted* army, received these honourable terms of capitulation, on the very day when the defenceless town of Æfopus was wantonly laid in ruins.

Several instances occur in the history of Europe, during the present century, of similar misfortunes befalling large bodies of troops. At the battle of Blenheim, 13,000 men, the best troops in France, laid down their arms without firing a volley. Some years after 14,000 Swedes, commanded by Charles XII. till then invincible, surrendered themselves prisoners at discretion to an army of Russians. The fate of 5000 British troops, under General Stanhope, in New Castile, in the year 1710, is well known.

The Congress, upon various pretences, afterwards refused to ratify this convention; so that the troops remained prisoners of war for more than three years; and when they were at length embarked, not one sixth part of their original numbers were mustered, the far greater part having assimilated themselves to their conquerors\*.

\* The army which surrendered amounted to upwards of 5600 men, officers included; the non-effective men at the time of the capitulation, must therefore have been a very considerable number.

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The army under Sir William Howe reposed in comfortable winter quarters at Philadelphia, whilst Washington, now reinforced with 4000 men from the northern army, and a large train of artillery, advanced to White-marsh, and soon after removed to Valley-forge, where his troops were obliged to continue during the severities of winter in a hutted camp, twenty-two miles from the capital. Here he entrenched himself in so strong a manner, that Sir William Howe thought it not adviseable to attack him.

It appears that discipline was much better maintained, whilst the combined army continued in Pennsylvania, than in the Jerseys, the preceding winter. But though the army was well supplied with necessaries, the inhabitants, to the amount of 20,000, were reduced to great distress. The Quakers in England were no sooner informed of the sufferings of their brethren in Philadelphia, than some ships were immediately freighted with such articles as were most wanted for their support and relief.

The British Commander had in vain remonstrated for more troops, and imagining that he had lost the confidence of government, solicited his Majesty's permission to withdraw from the command, which he immediately obtained. The conduct of this General has been severely scrutinized, and every endeavour has been used to attribute to his *wilful* neglect, the procrastination of the war in America. The Hessian commander was heard to declare, "that if Great Britain had paid her General by the job, and not by the day, the business would have been soon settled;" but the future events of the war have certainly weakened the force of the attacks upon Sir William Howe. It is much easier to decide upon what ought to be the operations of an army



over a map, than to effect those purposes in the field. General Amherst, in the last war, was employed two campaigns in driving 5000 French troops out of America; but the nation was then as much disposed to be pleased, as it has since been provoked to discontent. The enemies of Howe readily allow him to possess an uncommon share of personal courage and great professional skill. His habits of dissipation were such as military men are more particularly addicted to; they were no less predominant in Marshal Saxe, notwithstanding which, he is now considered as the first General of his age. We are not, at this day, to lay claim to the extraordinary gifts of public spirit.

Sir William Howe has been loudly and generally blamed as deserting the northern army, by undertaking his southern expedition. His justification of himself appears forcible, not to say conclusive. By proceeding to the southward, he effected a powerful diversion in favour of General Burgoyne, by drawing off the main American army. On the other hand, had he advanced up Hudson's River, Washington, with his whole force, would have either cut off his communication with New York, or with the northern army. The cry would then have been, that he had wasted the campaign in accomplishing what would have succeeded as well without him. By the fall of Ticonderoga, his assistance seemed to become unnecessary, as rapid success was expected to follow. Had he then proceeded with his army to the succour of the victorious General, he would have been thought enviously to have grasped at a share of that glory which would otherwise have been entirely due to the northern Chieftain. Add to this, that his instructions, instead of directing such a conjunct plan of operations, pointed out Philadelphia as his object.

Among the plans suggested in the beginning of the year

1777,

1777, for the destination of the northern army, one was, to embark it at Quebec, in order either to effect a conjunction with Sir William Howe by sea, or to employ it separately, to co-operate with the main designs, by such means as should be within its strength, upon other parts of the continent. The event has shewn, how much preferable it would have been to have given such a direction to the campaign.

The parliament assembled on the 20th of November, 1777. The King's speech spoke of the necessity of continuing the war in America, and of the probability that it would be necessary not only to keep the land-forces complete to their establishment, but to encrease them by contracting new engagements. Of the disposition of foreign powers it spoke doubtfully. His Majesty said, "as on the one hand I am determined that the peace of Europe shall not be disturbed by me, so on the other I shall always be a faithful guardian of the honour of the crown of Great Britain."

The address in answer to the King's speech was moved for in the House of Commons by Lord Hyde, and seconded by Sir Gilbert Elliot, the latter of whom gave a loose to the fervour of youth, and paid the most lavish compliments to the wisdom and equity of administration, declaring, that the rectitude of their measures was so demonstrable, that he was amazed a single Englishman could be found hardy enough to oppose them, and justify the American rebels. It had long been the practice of government to disseminate, by every means which unbounded influence supplied, the opinion, that all the opposers of public measures were unprincipled, clamorous and seditious men, who only aimed at embarrassing and distressing those in power, in hopes of rendering their posts untenable, and  
advancing

advancing themselves to envied pre-eminence. Foreigners have described the government of England as more tempestuous than the sea which surrounds the island ; but amidst the body of the people this fury has of late very much abated. The present age, grown weary of the political as well as religious disputations, in which their forefathers had deeply interested themselves, and disgusted at the conduct of many professed patriots, who had renounced their principles to acquire power, were easily prevailed upon to place a confidence in their rulers, and to entertain the most incurable suspicions of those who professed themselves the champions of the constitution. But it will perhaps be difficult to produce a single session of parliament since the accession of the House of Hanover, in which the members who composed the minority in both Houses, gave more unequivocal proofs of their integrity and wisdom, than in the present. The conduct of the Earl of Chatham in the House of Lords on the first day of the session, serves as one proof in support of this assertion. " The jaundiced eye of party," is little qualified to discern truth. But whilst an historian ought to shun the contagion of faction, he is no less bound to point out instances of true patriotism and superior penetration, whether they are to be found in the measures of the cabinet, or in the propositions which originate in the legislative body. To adopt the language of a living writer of deserved celebrity \*, " our sole object is to be useful and to be true. Far be from us that spirit of party which blinds and degrades those who are the conductors, and those who aspire to be the instructors of mankind. Our wish is for our country, our homage is to justice. We honour virtue, in whatever place, in whatever form, she is seen ; the dis-

\* l'Abbé Raynal,

tinctions of condition and of nation cannot estrange us from her."

When the address had been moved for by Earl Percy, in the House of Lords, the Earl of Chatham rose and declared, that he would not join in congratulation on misfortune and disgrace. He said, it was a perilous and tremendous moment, and not a time for adulation. It was necessary to dispel the delusion and darkness which enveloped the throne, and to display, in its full danger and native colours, the ruin that was brought to our doors. The measures which had been pursued, he said, had reduced this late flourishing empire to ruin and contempt. Not only the power and strength of this country was wasting away and expiring, but her well-earned glories, her true honour and substantial dignity were sacrificed. France, my Lords, continued he, has insulted you : she has encouraged and sustained America ; and whether America be wrong or right, the dignity of this country ought to spurn at the officious insult of French interference. The ministers and ambassadors of those who are called rebels and enemies, are in Paris : in Paris they transact the reciprocal interests of America and France. Can there be a more mortifying insult ? Can even our ministers sustain a more humiliating disgrace ? Do they dare to resent it ? Do they presume even to hint a vindication of their honour, and the dignity of the state, by requiring the dismissal of the plenipotentiaries of America ? Such is the degradation to which they have reduced the glories of England ? The people whom they affected to call contemptible rebels, but whose growing power has at last obtained the name of enemies : the people with whom they have engaged this country in war, and against whom they now command our implicit support in every measure of desperate hostility ; this people, despised as rebels, or acknowledged



known as enemies, are abetted against us, supplied with every military store, their interests consulted, and their ambassadors entertained by our inveterate enemy! and our ministers dare not interpose with dignity and effect. Is this the honour of a great kingdom? Is this the indignant spirit of England, who but yesterday gave law to the house of Bourbon?

His Lordship then turned his view towards America, and declared the utter impossibility of conquering that country. He shewed, that during three campaigns we had done nothing, and suffered much; besides, perhaps the total loss of the northern force \*. You may swell every expence and every effort still more extravagantly; pile and accumulate every assistance you can buy or borrow; traffic and barter with every little pitiful German prince, that sells his subjects to the shambles of a foreign potentate; your efforts are for ever vain and impotent; doubly so, from this mercenary aid on which you rely, for it irritates to an incurable resentment, the minds of your enemies, by over-running them with the mercenary sons of rapine and plunder; devoting them and their possessions to the rapacity of hireling cruelty. He added, your own army is infected with the contagion of these illiberal allies: the spirit of plunder and of rapine is gone forth among them: your discipline is deeply wounded. Whilst this is notoriously your sinking situation, America grows and flourishes: while your strength and discipline is lowered, theirs rises and improves.

His Lordship execrated with great vehemence the measures of delegating to the merciless Indian, the defence of

\* The news of General Burgoyne's surrender arrived a fortnight after; this prediction, therefore, shews the intelligence which this great man derived from his own sagacious mind.

disputed rights, and to wage the horrors of barbarous war against our brethren \*. Our army, familiarized to the horrid scenes of savage cruelty, could no longer boast of the noble and generous principles which dignify a soldier.

No man, he said, wished more for the due dependence of America on this country than himself: to preserve it, and not to confirm that state of independence into which the conduct of government hitherto had driven them, was the object which parliament ought to unite in attaining. America derived assistance and protection from us, and we reaped from her the most important advantages. She was indeed the fountain of our wealth, the nerve of our strength, the nursery and basis of our naval power. It is our duty, therefore, if we wish to save our country, seriously to endeavour the recovery of these beneficial subjects: and in

\* It is pleasing to record instances of genuine goodness of heart and disinterested philanthropy, which leads us to insert here the conduct of Governor Pownall in the House of Commons (February 6, 1778), when the subject of the Indian war was under discussion. That benevolent man proposed, as a means of putting a stop to the horrid cruelties of the American savages, that the two countries should mutually, in the spirit of good faith, break off all alliance with these blood-hounds of war, engage to treat them as enemies whenever they should commit an act of hostility against any white person, whether European or American, whereby all the dreadful scenes of indiscriminate murder would be prevented. If government, he said, would propose to Congress, the terms of such an agreement, he would answer for it that the Congress would embrace them, and execute them with good faith. Such a disposition, and such an overture, he said, might be productive of the happiest consequences; it might lead to the mutual performance of good offices, and lay the foundation of a more extensive treaty, which, by prudent management, might be brought to terminate in peace; and he offered to go himself, if government would adopt the measure, and parliament ratify it, without pay, or the hope of any reward, and make the proposal to Congress, and would answer with his life for the success that would attend it.

this

this perilous crisis, perhaps the present moment may be the only one in which we can hope for success \*, for in their negotiations with France, they have, or think they have, reason to complain: though it be notorious, that they have received from that power important supplies and assistance of various kinds; yet it is certain, they expect it in a more decisive and immediate degree. America is in an ill humour with France on some points that have not entirely answered her expectations, let us wisely take advantage of every possible moment of reconciliation. America and France cannot be congenial. There is something decisive and confirmed in the honest American, that will not assimilate to the futility and levity of Frenchmen. The natural disposition of America still leans towards England, and the old habits of connection and mutual interest that united both countries. This was the established sentiment of all the continent, and still, my Lords, in the great and principal part, the sound part of America, this wise and affectionate disposition prevails.

The designs of foreign powers, he said, was to be judged of rather by their actions, and the nature of things, than by interested assertions. The uniform assistance rendered to America by France, shewed the disposition of that kingdom. The most important interests of France, in aggrandizing and enriching herself with what she most wants, supplies of every naval store from America, must inspire her with sentiments not pacific towards England. In this complicated crisis of danger, weakness at home, and calamity abroad, terrified and insulted by the neighbouring

\* This warning voice was heard in vain; and in less than two months after, a commercial treaty was signed at Paris; upon which event the Ministers eagerly adopted the salutary plan of conduct here advised; but it was then too late; the Americans saw that the overture was dictated by fear, and that it tended only to allure them to break their faith with France.

powers; unable to act in America, or acting only to be destroyed, he asked, where was the man with the forehead to promise or hope for success in such a situation? You cannot conciliate America by your present measures; you cannot subdue her by your present, or by any measures.—What then can you do? You cannot conquer, you cannot gain, but you can address; you can lull the fears and anxieties of the moment into an ignorance of the danger that should produce them.

His Lordship then proposed an amendment to the address to his Majesty, which recommended an immediate cessation of hostilities, and the commencement of a treaty to restore peace and liberty to America, strength and happiness to England, security and permanent prosperity to both countries. The amendment was rejected by 97 to 28.

When the nation had somewhat recovered from the consternation into which it was thrown, by the arrival of the dispatches which related the surrender of general Burgoyne and his army, strenuous endeavours were used to set on foot subscriptions for the purpose of raising men. The towns of Liverpool and Manchester raised each a regiment; the cities of Edinburgh and Glasgow furnished the like supply: several independent companies were raised in Wales. The livery of London was convened for the purpose of raising and maintaining a body of 5000 men, but the measure could not be carried. A private subscription was then set on foot at the London Tavern, by which about 20,000*l.* was collected. At Bristol, the corporation could not be brought to adopt the plan, but many individuals gave a public testimony of their zeal, by affixing their names to large sums of money, professedly for the purpose of raising men for his Majesty's service. The number of  
men



mén obtained in consequence of these corporate and private subscriptions were said to amount to 15,000.

When the parliament assembled after the Easter recess, this mode of raising troops without the concurrence or knowledge of the legislature, was objected to as highly unconstitutional, and dangerous to the liberties of this country; it being the sole and unalterable right of parliament to grant money and men for the service of the state. The plan on which these benevolences were conducted, was equally censured, because it was calculated to serve a few men of influence, who were complimented with the privilege of naming the officers, the purchase money of whose commissions, it was said, would greatly exceed the whole expence of raising the men. The full amount of the gratuities was calculated at 80,000*l.* and the nation incurred an expence of not less than 480,000*l.* by the full and half pay of the officers, with the pay and cloathing of the men. It was likewise asserted, that the only œconomical plan would have been to offer bounties to recruits entering to serve in the old regiments, which plan had been adopted by the city of London in the last war, and was found to render essential service to the army at a cheap rate.

Whilst those who were strenuous for pursuing, at all events, the American war, had now an opportunity of contributing their benevolences to it, people of a contrary sentiment, found another channel through which their bounty flowed. The American prisoners, at that time confined in England, suffered many hardships, which the subsistence allowed them by government, if faithfully dealt out to them, could not be supposed to remove, and which were increased, in many instances, by the inhumanity and cruelty of their keepers. To relieve these unhappy men, a subscription

scription was opened, by which they were supplied with cloaths, firing, bedding and other necessaries, during the winter.

On the 30th of January, 1778, a treaty of commerce was signed by the American Plenipotentiaries, and the Count de Vergennes, the French minister for foreign affairs; and the week after, a treaty of alliance was executed. The Earl of Shelburne, on the 5th of December, had put the question to the ministry, in the House of Lords, whether such a transaction had not taken place? which they then disclaimed any knowledge of, but on the 17th of February, Lord North brought in two bills tending to a reconciliation with America. The first was expressly designed to remove all doubts and apprehensions concerning taxation by the Parliament of Great Britain, in any of the Colonies, Provinces, and Plantations of North-America and the West-Indies, and it also repealed the act of parliament which imposed the duty on tea. The other bill enabled his Majesty to appoint Commissioners with sufficient powers to treat, consult, and agree upon the means of quieting the disorders subsisting in certain of the Colonies of North-America. These Commissioners were endowed with very extensive powers: they were authorized to treat with the Congress by name, as if it were a legal body, and so far to give it authenticity, as to suppose its acts and concessions binding upon America. They were empowered to treat with any of the Provincial Assemblies upon their new constitution, and with any individuals in their civil capacities or military commands: with General Washington, or any other officer. The Commissioners had a power to order a suspension of arms; to suspend the operation of all laws; and to grant all sorts of pardons, immunities and rewards; to restore all the Colonies, or any of them, to the form of their

ancient constitution, as it stood before the troubles ; and in any of those where the King nominated the Governors, Council, Judges, or other magistrates, to nominate such at their discretion, until his Majesty's further pleasure could be known.

It had been objected to the former Commissioners, that their powers were deficient : this act therefore declared, that should the Americans claim their independence at the outset of the treaty, they should not be required to renounce it, until the treaty had received its final ratification by the King and Parliament of Great Britain. A reasonable and moderate contribution towards the common defence of the empire, when re-united, was to be negotiated for, but such contribution was not to be insisted upon as a *sine qua non* of the treaty.

The concessions which the British Parliament hereby made to America, were much more ample than those recommended by the Earl of Chatham and Mr. Burke, three years before, but which were then unhappily disapproved. It was the opinion of several members, that a repeal of all the obnoxious acts should be a preliminary to any treaty, instead of being held out to them in future. The minority, in general, supported the bills, though some of them declared, that, in their opinion, the offer would arrive too late. Both the bills passed the House of Commons on the 2d of March, were carried through the House of Lords without a division, and were passed the 9th of the same month.

On the 17th of March, a message from his Majesty was presented to both Houses of Parliament, relative to a declaration delivered to Lord Weymouth by M. de Noailles, the  
French

French Ambassador, signifying, in form, the treaty of friendship and commerce which had been entered into with the States of America. It described those States as being in full possession of independence, and declared that the contracting parties had paid great attention not to stipulate any exclusive advantages in favour of the French nation, and the United States had reserved the liberty of treating with every nation whatever, upon the same footing of equity and reciprocity. It expressed a desire that the good harmony subsisting between Great Britain and the court of France, might not be altered by such a step, and an expectation that the commerce between France and America, would not be interrupted, and signified that at all events the French King was determined to protect effectually the lawful commerce of his subjects, and to maintain the dignity of his flag.

In consequence of this declaration, his Majesty acquainted his Parliament, that he had recalled his Ambassador from the court of France, and should depend upon Parliament for support, which was promised in the strongest terms of loyalty and affection. A declaration of war against France would no doubt have immediately followed the King's message, if an opinion had not prevailed, that America was at liberty to make peace, without consulting her ally, unless England declared war.

The History of Europe might perhaps be consulted in vain, to find a more astonishing instance of blindness and infatuation than that shewed by the British ministry during the progress of this treaty. That such an alliance was negotiating at Versailles, had been confidently declared in both Houses of Parliament, from the very commencement



of the session \*, and a variety of open and apparent circumstances, rendered the information highly probable. The intelligence communicated to government by our Ambassador at the court of Versailles, not having been laid before Parliament, cannot be fully known. Indeed, instances are not wanting, of the most important measures having been concerted, under the very eye of an Ambassador, whose country was deeply interested in the consequences, without his being at all apprized of the designs. Walsingham, a man of distinguished penetration, was in perfect ignorance of the intended massacre at Paris, until the night when that bloody tragedy was acted; and the Marquis of Albyville, the English minister at the Hague, gave no certain intelligence of the destination of the armament which was preparing in Holland to transport the Prince of Orange to England, until King James had been apprized of it from various quarters.

Indecision and procrastination had too long marked the conduct of administration, insomuch that M. de Noailles, the French Ambassador, on his departure from London, described the British councils as so totally undetermined and indecisive in every matter, whether of public or private concern, that he never could get a positive answer from the ministers, upon any business, whether of small or of the highest importance. How different were the sentiments of

\* It is asserted by Silas Deane, an American Deputy, who signed the commercial alliance on the part of the States, that Arthur Lee, one of his colleagues, immediately on signing the instrument, that very night, transmitted the following mercantile epistle to the Earl of S——n. “This day, the new partnership was signed and sealed, and the new House will begin to proceed to business immediately. If the old House means to have any thing to do farther, and means honestly, it must make its proposals immediately.”

M. de Buffly, when he returned home from his fruitless negotiation eighteen years before ! But the helm of state was then under the guidance of another pilot\*.

Such being the fatal propensities which predominated, the navy of England was now found to be in no condition to revenge the insult offered by France ; whilst a fleet consisting of twelve ships of the line, six frigates, fourteen store-ships, with 6000 troops, under the command of the Count d'Estaing, sailed from Toulon, immediately, upon the French court being informed of the reception, which its declaration had met with at St. James's †. It is warrantable to take council even from an enemy ; the conduct of England towards France, in the year 1755, was now adopted by her antagonist ; measures were taken to strike a decisive stroke while the two kingdoms remained at peace. It could not be doubted that this force was destined for America, but much time was lost before a fleet could be got ready to make head against it. The arsenals at Portsmouth could not supply the requisite stores or rigging, and the want of seamen impeded every operation. At length Admiral Byron, with twelve sail of the line, put to sea ‡: but before we follow these hostile fleets, it will be necessary to speak of the transactions in Parliament.

On the 2d of April, Earl Nugent moved, that a committee of the whole House should be appointed to consider of the trade of Ireland, which had severely suffered by the war with America, a stop having been thereby put, in a

\* Charles the Second complained to a Dutch Ambassador, that the States paid less regard to him than they had done to Cromwell ; to which the Dutchman, with phlegmatic frankness, replied, " Ah, Sir, Oliver was quite another sort of a man."

† April 13, 1778.

‡ May 20.

great measure, to the exportation of manufactures from thence, hence a large body of the people were deprived of their stated employments, and rendered destitute of the means of subsisting. The decrease of trade was still more severely felt, in consequence of very heavy additions which had been recently made to the civil establishment, by the increase of pensions, and other burdensome appointments. The relief solicited was, to take off some of the many restrictions, which cramped both the export and import trade of that kingdom. Such an innovation alarmed the merchants of Bristol and Liverpool no less than the manufacturers in Lancashire, and the county of Nottingham, the members for which places strenuously opposed the admission of Ireland to a participation of the rights of British subjects. Mr. Burke, who had been chosen as a representative of the city of Bristol, by the free votes of the citizens, without any expence, on this occasion, found himself in a most unpleasant situation. The prejudices entertained by his constituents were too violent to be combated, but the justice, the expediency, and even the necessity of the grant, urged him strongly in its favour; at the same time it appeared to him in no respect to interfere with the interests of Bristol, or of any other part of this kingdom; he therefore nobly renouncing all private views and expectancies, came forward, and with a degree of public spirit that would have done him honour in the most virtuous times, became the champion of an oppressed and suffering people. He confuted very ably, the principle laid down, that Ireland could not be indulged in a free trade, without her becoming a rival to Great Britain. The free exportation of sail cloth and manufactured iron she had long enjoyed without any inconvenience being felt in this country, from whence he inferred that the other matters of apprehension would be found equally groundless. A few  
years

years before, an act had been passed, allowing a free importation of woollen yarn from Ireland; the manufacturers in England opposed the bill, but they were not able to throw it out, and experience has since led them to acknowledge its beneficial tendency. A participation of manufacture, he said, could not possibly be detrimental to this country, there was certainly room enough in the world for the trade of two such islands as these. He observed, that although the internal wealth and the external advantages of trade and commerce, are forty times greater in England than in Ireland, yet the latter is taxed in proportion to one fourth of England, which should incline this country to promote the means of her acquiring wealth. He lamented that it could happen in any one instance, that his conscience should direct him to take a part contrary to the opinion of his constituents. It had been his invariable aim to protect their rights and interests, and to act at all times as became the senator and representative of the people. In this instance he had dared to act contrary to the wishes, though he was sensible not to the interests, of his constituents; and if from his conduct in this business, he should be deprived of his seat in that house, as he apprehended he might, he had the satisfaction of being fully assured, that he should suffer in the very cause of those who had inflicted the punishment. He should not blame his constituents if they did reject him; the event would afford a very useful example: on the one hand, of a senator inflexibly adhering to his opinion against interest and against popularity; and on the other, of constituents exercising their undoubted right of rejection; not on corrupt motives, but from their persuasion, that he whom they had chosen, had acted against the judgment and interest of those he represented\*.

Notwithstanding

\* These apprehensions were verified at the general election in 1780, when Mr. Burke lost his election for Bristol: previous to which, in a



Notwithstanding the House seemed well disposed to adopt the bill, yet it was not carried through, and from some events which afterwards turned up, it does not appear improbable, that the secret interposition of the minister proved fatal to it, although he openly supported it.

The severe laws which are in force against Roman Catholics, distinguish this country from every other Protestant state in Europe, whilst the inoffensive conduct of that body, for a series of years, had entitled them to some relief from government. In the perilous situation into which the nation was now brought, when an immediate invasion from France was threatened, and which we were very ill prepared to resist, a petition from the body of Roman Catholics, signed by almost every gentleman of that persuasion, of note or property in England, was presented to the King, strongly expressive of their loyalty and attachment to his person and government. Nothing, therefore, could more directly meet

speech to the electors, fraught with true dignity and strong argument, he defended his conduct in this business, as follows: "It was a painful but necessary part of my duty, to read what was approaching in Ireland, in the black and bloody characters of the American war. I did not obey your instructions: No. I conformed to the instructions of truth and nature, and maintained your interests against your opinions, with a constancy that became me. A representative worthy of you, ought to be a person of stability. I am to look indeed to your opinions; but to such opinions as you and I *must* have five years hence. I was not to look to the flash of the day. I knew that you chose me, in my place, along with others, to be a pillar of the state, and not a weathercock on the top of the edifice, exalted for my levity and versatility, and of no use but to indicate the shiftings of every fashionable gale. Would to God the value of my sentiments on Ireland and on America, had been at this day a subject of doubt and discussion! No matter what my sufferings had been, so that this kingdom had kept the authority I wished it to maintain, by a grave foresight, and by an equitable temperance in the use of its power."

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the wishes of the court, than to shew a proper sense of this attachment ; but the dread of incurring popular resentment, would, most probably, have prevented the smallest exertion in their behalf. It must be considered as a piece of subtle policy, for government to effect so desirable an object by means of the members who composed the opposition ; a set of men whom venal pens and tongues had branded with the most opprobrious epithets, because they held opinions on great political points, essential to the well-being of the state, which were repugnant to the ministerial creed. It appears, however, from their conduct in this instance, that their zeal to serve the cause of humanity, rendered them indifferent to the suggestions of self-interest, or to the clamours of men under the influence of an intolerant spirit : it even subjected them to the imputation of being made the dupes of crafty statesmen.

On the 14th of May, 1778, Sir George Savile \* brought a bill into the House of Commons, for the repeal of the  
act

\* The following character of this Baronet deserves a place here.— He is a true genius ; with an understanding vigorous, acute, refined ; distinguishing even to excess ; and illuminated with a most unbounded, peculiar, and original cast of imagination. With these he possesses many external and instrumental advantages ; and he makes use of them all. His fortune is among the largest ; a fortune which, wholly unincumbered as it is, with one single charge from luxury, vanity, or excess, sinks under the benevolence of its dispenser. This private benevolence, expanding itself into patriotism, renders his whole being the estate of the public, in which he has not reserved a *peculium* for himself of profit, diversion, or relaxation. During the session, the first in, and the last out of the House of Commons ; he passes from the senate to the camp ; and, seldom seeing the seat of his ancestors, he is always in Parliament to serve his country, or in the field to defend it. But in all well-wrought compositions, some particulars stand out more eminently than the rest ; and the things which will carry his name to posterity, are  
his

act of 10 and 11 W. III. entitled, "An Act to prevent the further Growth of Popery;" which to the many pains and penalties before inflicted, by a variety of acts of parliament, added, a prohibition to popish priests officiating in the service of that church; foreigners so offending were made guilty of felony, and natives of this kingdom, of high treason. Popish heirs, educated in foreign countries, incurred a forfeiture of their estates, which descended to the next protestant heir: a son, being a protestant, was empowered to dispossess his father, being a papist, of his estate, and members of that communion were incapacitated from purchasing land†.

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his two bills; I mean that for a limitation of the claims of the crown upon landed estates; and this for the relief of the Roman Catholics. By the former, he has emancipated property; by the latter, he has quieted conscience; and by both, he has taught that grand lesson to government and subject,—no longer to regard each other as adverse parties.

Such was the mover of the act that is complained of by men, who are not quite so good as he is; an act, most assuredly not brought in by him from any partiality to that sect which is the object of it. For, among his faults, may be reckoned a greater degree of prejudice against that people, than becomes so wise a man. He inclines to a sort of disgust, mixed with a considerable degree of asperity to the system; and he has few, or rather no habits with any of its professors. What he did, was on quite other motives. The motives were these, which he declared in his excellent speech on his motion for the bill; namely, his extreme zeal to the Protestant religion, which he thought utterly disgraced by the act of 1699; and his rooted hatred to all kind of oppression, under any colour or upon any pretence whatsoever.

† Bishop Burnet, in the History of his own Times, 8vo, Edition III. 316, 317, informs us, that after the peace of Ryswick (1697), a great swarm of priests came over to England, not only those whom the revolution had frightened away, but many new men, who were said to boast the favour and protection of which they were assured. Some enemies of government gave it out, that the favouring that religion was a secret article of the peace; and so absurd is malice and calumny, that the Jacobites

The propriety of granting relief to a body of men who acted conscientiously, appeared so clearly to the House, that the bill was passed without a dissenting voice. Whereby the subjects of Great Britain, professing the Romish faith, were permitted to perform their rites of worship, were rendered capable of inheriting or purchasing real estates, upon subscribing an oath of allegiance to the King, and solemnly disclaiming the doctrine of the Pope's authority over this realm, or his power of absolving the subjects of it from their obligations to the government as by law established\*. Doctrines which had prevailed in times of superstitious ignorance, but which had long been forgotten by the Apostolical vicar at Rome, and were no longer held sacred either by the priesthood or laity. The spirit of persecution is happily extinguished in many of the Roman Catholic countries in Europe, even the most rigid kingdoms have relaxed their severity. Such a liberality of sentiment well deserves imitation. The King of Prussia has long since

Jacobites began to say, that the King was either of that religion, or at least a favourer of it.—Upon this, some proposed this bill. Those who brought it into the House of Commons, hoped that the court would have opposed it; but the court promoted the bill. So when the party saw their mistake, they seemed willing to let the bill fall; and when that could not be done, they clogged it with many severe, and some unreasonable clauses, hoping that the Lords would not pass the act; and it was said, that if the Lords should make the least alteration in it, they in the House of Commons, who had set it on, were resolved to let it lie on their table, when it should be sent back to them. Many Lords, who secretly favoured papists, on the Jacobite account, did, for this very reason, move for several alterations; some of these importing a greater severity; but the zeal against popery was such in that House, that the bill passed without any amendment, and it had the Royal assent.

\* It is very remarkable, that the original draft of this act of W. III. as first brought into the House, aimed at nothing more than obliging the Roman Catholics to take the oaths of allegiance and supremacy, and the test, the two first of which are now enjoined them. See Burnet *ut supra*.  
led



led the way, by causing a popish church to be built at Berlin, the foundation stone of which was laid in his own name. In an enlightened age, it is not possible, that the tenets of popery should gain ground in a protestant country.

A committee of enquiry into the state of the nation, was appointed in each House of Parliament, which sat early in the month of February, 1778. This was proposed in the upper House by the Duke of Richmond, and in the lower by his nephew, the Hon. Mr. Fox. Colonel Barré distinguished himself greatly, in his attempts to correct the abuses which prevailed in the expenditure of the public money, and Sir Philip Jennings Clerke endeavoured to obtain an act, to restrain any person, being a member of the House of Commons, from being concerned himself, or any person in trust for him, in any contract made by the Commissioners of his Majesty's Treasury, or Navy, the Board of Ordnance, or by any other person or persons, for the public service, unless the said contract shall be made at a public bidding. Mr. Alderman Harley was the principal speaker against the bill, which however was supported by a great number of independent members, and was at length lost by only two votes\*.

The enquiries into the state of the nation were pursued for upwards of two months. The vast sums voted for the service of the navy, during the last eight years, and the bad condition in which that national defence was supposed to be, notwithstanding such ample provision, were urged as proofs of great negligence or peculation in that department, but the ministerial party had the address to counteract every attempt to bring before the Houses such evidence as was requisite to establish facts, and thereby to warrant a resolution

\* 115 to 113. May 4, 1778.

of censure. The transport-service was become an article of expence beyond all precedent or imagination. At length, an address to his Majesty was proposed in the House of Lords, strongly expressive of censure on the King's ministers; describing, in emphatical terms, the state to which the nation was reduced, and praying that his Majesty would be graciously pleased to put an end to the system which had prevailed in his court and administration, to the disgrace and ruin of the kingdom. The minority were much divided in opinion concerning the propriety of immediately acknowledging the independence of America. The address being rejected, a noble Earl proposed, that those members who supported it, should wait upon the King and present it, but such a spirited proceeding was not adopted.

During a very animated debate in the House of Lords, on the day that the committee for enquiring into the state of the nation closed that business, the Earl of Chatham, whose vigorous mind, on so momentous an occasion, endeavoured to shake off the pressure of bodily infirmities, having spoken with great vehemence, was suddenly seized with a fainting-fit, which he survived but a short time. On the 11th of May this truly great man resigned his breath, in the sixtieth year of his age.

This country may exult as much in having produced a Pitt, as in giving birth to a Milton or a Newton, his genius, like theirs, being great and original. Nature had given him every bodily and mental qualification of an orator. A graceful figure, a piercing eye, a voice strong and clear, which, through a variety of cadences, was harmonious and insinuating. He had studied the master of Grecian eloquence with the discernment of a kindred spirit: possessing a fancy equally playful, he wielded thunder equally majestic.

jestic. Whilst he rivalled antiquity in the powers of his eloquence, among modern orators he was as the eagle among birds. The rapidity of his conceptions struggling with the shackles of language, rendered him frequently abrupt and incorrect, but the effusions of genius always threw a grandeur over the whole, like the creative pencil of a Salvator Rosa.

These precious gifts were not destined by Providence to be merely admired; they were employed to recover a nation sinking rapidly into effeminacy, to its native spirit and vigour. Born to act as well as to harangue, every department of government, both civil and military, felt his renovating influence. His discernment pointed out men, whilst his wisdom planned measures which his vigilance effected. When he withdrew from power, the instance which he gave of incorruptible integrity, consummated his character: he then delivered into the treasury a very large sum of money, of which he was exempted from rendering any account, having officially received it for the secret service of the state, but to which purpose it had not been found necessary to apply it.

His greatness was not derived from noble birth, or the gifts of fortune. He ruled over the empire of the mind, and monarchs felt the inferiority of external to intellectual power. They either reluctantly availed themselves of his councils, or paid the forfeit for their contumacy in degradation and ruin. In himself he was equally dignified, whether he awed the house of Bourbon, or suffused a pallidness and trepidation over the minister who spurned at his warnings\*. It was only by the honours derived from

\* Such were the effects of his eloquence upon the late Earl of Suffolk.  
kings

kings that he could be degraded. What could not his elevated soul effect? He caused even Englishmen to renounce those political distinctions which had divided and weakened the nation for more than a century! Disdaining to govern by parties, he absorbed them all into his own vortex. Alike regardless of the approbation or censure of busy and obscure writers, (the objects of complacency or dread to court-made statesmen) he kept on his course, and made his appeal to the understanding and to the heart. To sum up the whole of his character: he was a minister formed for superintending the affairs of a mighty empire, and to preserve in a free state, the due equipoise between the powers of the crown, and the liberties of the people.—*Nil oriturum alias, nil ortum tale fatentes.*

Such are the vicissitudes in the motives to human action, that the very member, who, when Mr. Pitt was minister, first displayed his oratorical powers against the measures then pursuing, now pronounced a panegyric on the late Earl of Chatham, and moved that his remains should be interred at the public expence. Mr. Rigby endeavoured to quash this motion, by suggesting, that it would be a more lasting testimony of public gratitude to vote a monument to his memory, which Mr. Dunning proposed as an amendment to the original motion, and they were both carried without a dissenting voice\*. The Earl of Shelburne moved in the House of Lords, that the House should attend the funeral of the late Earl, but it was lost by a casting vote. In consequence of an address to his Majesty from the House of Commons, an annuity of 4000*l.* per annum was afterwards settled in perpetuity on those heirs of the late Earl of Chatham to whom that earldom

\* The Athenians, on the death of Demosthenes, expressed their veneration for his memory in a manner very similar.—Each of these renowned orators died in the sixtieth year of his age.



might descend; and 20,000*l.* was granted towards discharging the debts of the deceased nobleman. The Commons were unanimous in shewing these instances of respect, but in the House of Lords they occasioned a protest to be signed by four-peers\*.

The supplies for the year 1778 amounted to 14,345,497*l.* of which the navy claimed 5,001,895*l.*† Besides the land

\* The Duke of Chandos, the Lord Chancellor (Bathurst), the Archbishop of York (Markham), and Lord Paget.

† N A V Y.

60,000 seamen, including 11,829 marines	-	3,120,000
Ordinary of the Navy	-	389,200
Building and repairing ships	-	488,695
Towards discharging the Navy Debt	-	1,000,000
Greenwich Hospital	-	4,000

5,001,895

A R M Y.

20,057 effective men for guards, garrisons, &c. in Great-Britain; staff officers; garrisons in the Plantations, Africa, Minorca, Gibraltar; provisions for forces in North America, Nova Scotia, Gibraltar, the Ceded Islands, and Africa; pensions to widows; out-pensioners of Chelsea Hospital (105,431 <i>l.</i> ) reduced officers of land forces and marines (90,940 <i>l.</i> ); difference of pay between British and Irish establishment	-	1,856,800
Augmentation of forces from their several commencements, to Dec. 24, 1778	-	385,847
Five Hanoverian battalions, serving in Minorca and Gibraltar	-	56,075
Foreign troops serving in America, provisions and artillery	-	642,228

2,940,950

land-tax and duty upon malt, to provide for this sum, six millions were raised by annuities, at three per cent. per annum, with the further annuity of two pounds ten shillings per cent. per annum, for the term of thirty years, and then to cease; or it might be made determinable upon a life; and 480,000*l.* by a lottery; two millions by Exchequer bills. The sinking fund to April 5, 1778, produced 703,700*l.* the

Extraordinaries of the army from Jan. 31, 1777,		
to Feb. 1, 1778	- - -	1,469,923
Ordinance for 1777 not provided for	- 300,483	} 683,299
for 1778	- 382,816	
Militia, including three regiments of fencible		
men to be raised in North Britain	-	485,789

## M I S C E L L A N E O U S.

Calling in and recoining the deficient gold		
coin	- - -	105,227
To four persons, for compiling a general In-		
dex to the Journals of the House of Commons	12,900	
New roads and bridges in Scotland	- - -	6,998
Deficiency of fund for 1758	- - -	43,621
Civil list establishments in America, &c.	- - -	20,617
Ditto at Senegambia	- - -	5,550
Forts on the coast of Africa	- - -	13,000
General survey's in North America	- - -	2,372
Sums issued in pursuance of addresses	- - -	19,100
For the relief of Americans suffering on ac-		
count of their attachment to his Ma-		
jesty's government	- - -	56,680
Confining, maintaining, and cloathing con-		
victs on the River Thames	- - -	9,075
		<hr/>
		295,140
Exchequer bills discharged	- - -	2,500,000
Prizes in lottery, 1777, paid off	- - -	480,000
Deficiencies of grants for 1777	- - -	38,493
Ditto land-tax for 1777	- - -	252,000
Malt ditto	- - -	200,000
		<hr/>
		490,493

whole produce of the Lottery was distributed into prizes; four tickets for every 500*l.* stock subscribed, upon paying 10*l.* for each ticket; the growing produce of the sinking fund was applied to the amount of 2,296,209*l.* Various duties and savings produced 148,566*l.* The annual interest upon the funded debt, with the annuity, amounted to 330,000*l.* for the payment of which, a tax of six-pence in the pound was laid on all houses from five pounds to fifty pounds a year rent, and one shilling in the pound on all above 50*l.* An additional duty of eight guineas per ton was laid on all French wines, and four guineas per ton on all other wines imported. These two taxes were calculated to produce 336,558*l.*

As the French declaration was delivered but a few days after the contract for the loan had been made, the money-lenders became great losers by the sudden fall of stocks, on account of the consequent rupture with France. But notwithstanding no money had then been paid as a deposit, yet such was the honour of the contractors, that the payments were regularly made. The minister endeavoured to procure them an indemnification from Parliament, but without effect. The session was closed on the third of June.

#### C H A P. IV.

*Condition of France at the Commencement of Hostilities—Engagement between the British and French Fleets off Ushant—Valuable Captures made by the English—Arrival of the Commissioners at Philadelphia—Evacuation of that City, and march of the combined Army to New-York—French Fleet*

*Fleet under Count d'Estaing, appears off Staten Island—Operations of the Army at New-York—Attempt upon Rhode-Island—Engagement between the two Fleets prevented by a Storm—D'Estaing takes refuge in Boston Harbour—Discontents of the Americans—St. Pierre and Miquelon taken by the English, and the Island of Dominica by the French—Dispersion of the English Fleet under Admiral Byron—Dreadful Instances of Cruelty in the Back Settlements—Trials of the Admirals Keppel and Palliser—Pondicherry taken—Meeting of Parliament—State of Ireland—Enquiry into the Conduct of the American War—Spanish Manifesto laid before Parliament—The Minister unable to raise the full Amount of the Supplies—Conclusion of the Session—Operations in America—General Prevost's attempt upon Charlestown—Detachments from Sir Henry Clinton's Army—The Island of St. Lucia captured—Destruction of the American's shipping at Penobscot—The French reduce the Island of St. Vincent, and afterwards Granada—Engagement between Byron and d'Estaing—The Town of Savannah defended against the French and Americans—Gibraltar invested by the Spaniards—Successes of the French on the Coast of Africa—England threatened with an Invasion from France—Requisitions made to the States of Holland—The combined Fleets of France and Spain enter the British Channel—Internal State of England—Meeting of Parliament—State of Affairs in Ireland—Events in Scotland—Instances of Public Spirit—Acts passed in Favour of Ireland—General Discontents in Consequence of the national Expences—County Meetings formed, and Petitions presented—Mr. Burke's Plan for the better securing of the Independence of Parliaments, and the æconomical Reformation in the Civil and other Establishments—Plan for a Committee of Accounts proposed by Colonel Barré—Petitions from Jamaica—Lord North's Bill for appointing Commissioners of Accounts*



---*Mr. Dunning's Propositions*---*A numerous Society formed under the Title of "The Protestant Association"*---*Petition presented to the House of Commons, by Lord George Gordon, for the Repeal of the Act which granted relief to Roman Catholics*---*Riots and Devastations in London*---*Conduct of Parliament*---*Supplies, and Ways and Means for the Year 1780*---*Parliament rises*---*Signal Victory obtained by Sir George Rodney over the Spanish Fleet*---*Gibraltar relieved*---*Success of Admiral Digby*---*Spirited Attempt to restrain the Dutch carrying-Trade*---*Expedition from Jamaica to the Spanish Main*---*Captures from the French in the West-Indies*---*Naval Engagements*---*Hurricanes*---*Valuable Captures from the Spaniards*---*Charlestown in South Carolina reduced by Sir Henry Clinton*---*Splendid Victory obtained by Earl Cornwallis at Camden*---*Display of Bravery and Conduct in various Actions at Sea.*

**T**HE kingdom of France, ever since the accession of Louis XVI. had been recovering itself from the confusion and distresses into which it had been plunged by the misrule of his predecessor. Profusion and neglect no longer wasted the public revenue. As the young monarch was intent on restoring the lustre of that potent kingdom, he sought out such men for public employments as were most likely to further such patriotic views. It is a remark of the Duke de Sully, that "although good Princes may be wanting to good ministers, yet good ministers will never be wanting to a Prince who has discernment enough to find them, who chooses them for their superior parts, experience, and integrity, and who resolves to support them against all opposition raised by the cabals of the court, or the factions of the state." Necker, who succeeded Turgot, carried the reformation farther than his predecessor, regardless of the clamour which was raised by interested men: "a man of  
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an elevated soul," said he, "will not descend to enter the lists with obscure writers." Such were the effects produced from these labours, that the ordinary revenues of the kingdom were speedily brought to exceed the ordinary expences by 10,200,000 livres\*, besides three quarters of a million sterling, employed in reimbursements. His superior abilities, and the manner in which they were exercised, placed him on a level with the Sullys and Colberts, to whom France has been so much indebted. In opposition, however, to the views of the minister, the King resolved no longer to remain a quiet spectator of the impending fate of America. It was in vain the minister represented, that "neither conquests nor alliances could prove so valuable, as what the King might one day draw from his own power, the improvements in husbandry and in the national credit, by a prudent administration and the encouragement of industry, those being the only things wanting to strengthen a kingdom, where there are twenty-four millions of inhabitants and 2000 millions of specie.†" To wrest from Great Britain her envied superiority on the ocean, was the flattering object which seduced the French King from his pacific pursuits, and the naval force which he had collected, encouraged that fond expectation.

When the British ministry were compelled to make head against this new enemy, it became necessary to single out some naval commander of tried valour and long experience, to whom they could entrust the fleet which was to be opposed to that of France in the European seas. These qualities, which had gained him the warm esteem

\* 455,000*l.* sterling. See the State of the Finances of France the beginning of the Year 1769, p. 32.

† 90,000*l.* sterling.

of all ranks in the navy, pointed out Admiral Keppel for that important service. He was one of the oldest officers in the navy, and had seen a greater variety of service than any other man in it. When not more than fourteen years of age, he accompanied Commodore Anson in his voyage round the world; and in the last war had rendered himself conspicuous for his gallantry and success in Europe, Africa and America. A noble descent, an ample fortune and personal merit were united in this commander; but as a senator, he had declared his dislike of the American war, and had arraigned the conduct of the Admiralty-board in not rendering the naval force of the kingdom more powerful and effectual to awe its enemies. The exigence of the times required, however, that ministers should seek the assistance of those whom they could not call their friends, and the king himself therefore proffered him the command. The Admiral declared his readiness to serve his king and country, but disclaimed all acquaintance with official men, and as he received his command immediately from his Majesty, he threw himself upon his Majesty's gracious support and protection.

When Keppel arrived at Portsmouth to take upon him the command of the grand fleet, he found that there were only six sail of the line which were in any degree of condition for immediate service, and a great deficiency in sailors, as well as in all kinds of naval stores. His applications to the Admiralty-board caused uncommon exertions to be made, and by the beginning of June he put to sea, with a fleet consisting of twenty sail of the line, and three frigates. He soon after fell in with two French frigates, which he captured, although the situation of the two nations, with respect to each other, was neither that of war nor peace. By the papers found on board these prizes, he first learnt, that thirty-two sail of the line, and ten frigates, were

were then laying at anchor in Brest-water, preparing to put to sea. This superiority of force determined him to return into port for a reinforcement. He might certainly have kept the sea without any danger of being compelled to fight on such unequal terms, and to save the appearance of a retreat is ever to be wished. On the 9th of July the Admiral commanded thirty ships of the line, with which he went in search of the French fleet, which had only quitted their harbour the day before, under the command of the Count d'Orvilliers. In the afternoon of the 23d the two fleets came in sight of each other. The French had the wind, so that they might choose whether to fight or avoid it. The line of battle was formed by the British fleet, but no action took place. The next day two ships of the French fleet, the one of 80, the other of 64 guns, were so separated, that their Admiral was compelled to bear down and engage the English if he meant to rejoin them: but so reluctant was he to risk the fate of a battle, that he rather chose to suffer that diminution of his force, than regain it upon such conditions. Keppel inferred from this apparent backwardness, that the enemy expected a reinforcement, he therefore redoubled his efforts to bring on an engagement; and as sailing in a regular line of battle would have retarded the progress of his fleet, he threw out signals for chasing. The two fleets were employed, the one in retreating, the other in pursuing until the 27th, when a sudden squall intercepted them from the sight of each other. The weather, however, very soon cleared up, and discovered the enemy drawn up in line of battle; and as the French, by a sudden shift of the wind, had the advantage of the weather-gage, they bore down on the headmost ships of the British fleet, and discharged their broadsides. The two fleets sailing upon different tacks, maintained a running fight within pistol shot of each other, for near two hours, and



the action was closed between one and two o'clock in the afternoon.

Nineteen years were now almost completed since the force of the two rival nations had contended on the ocean; and it appeared in the course of this day's action, that the French had greatly improved during that time, both in the manner of working their ships, and of discharging the guns; in consequence of which, the British fleet sustained considerable damage in this passing conflict; the English behaved with their wonted bravery, and did great execution on the enemy; but still the contest remained to be decided by a close and general action, and Keppel afterwards declared, that, "at the time when he wore his ship, and laid her head towards the enemy, he thought it would have been a proud day for England." Three hours were employed in repairing the damage which the fleet had sustained, and some ships in the rear division fell so much out of their course as to be in danger of being cut off. D'Orvilliers saw the opportunity, and threw out a signal to the Duke de Chartres, who commanded the French rear, to bear down; but the order not being immediately understood, the British Admiral had time to interpose for their relief, which caused this action to be the last service in which the Duke was concerned at sea.

Sir Hugh Palliser, Vice Admiral of the Blue, who commanded the rear division, had formed the line of battle by three o'clock, and in the position which the British fleet then kept, his ships composed the van; Sir Robert Harland's division, which properly formed the van, being now in the rear. The Commander in Chief, solicitous to renew the fight, threw out signals for his rear and van to take their proper stations. This was immediately

diately performed by Sir Robert Harland's division, but the Rear Admiral of the Blue paid no attention to the signal which was flying, and although Captain Windsor, in the Fox frigate, was sent with express orders for the Vice Admiral to bear down into his Admiral's wake\*, yet no effort was made for that purpose; in consequence of which the night came on before the British fleet was formed.

The French have a peculiar method of repeating signals at night by means of rockets and explosions of gunpowder, these were discernible until day-break, but when light returned, the French fleet was only visible from the mast-head. Keppel did not think proper to pursue them; but as soon as every ship had entirely disappeared, he directed his course homeward, in order to repair his crippled ships, and to be as soon as possible in a condition to meet the enemy again. However justifiable the motives for this conduct might be, it furnished the enemy with a colourable pretext to boast of a victory, and gave the other states of Europe an unfavourable idea of British prowess, of which they had entertained so exalted a sentiment, that a drawn battle between two fleets of equal force was considered as highly disgraceful. The reasons assigned by the Commander in Chief for this conduct were, that a strong wind blew directly into the harbour of Brest, under favour of which the French fleet was able to enter that harbour, before he could possibly have come up with them, and the shattered condition of many of the ships under his command would have exposed them to imminent hazard from a lee-shore. This indecisive action was fought in lat. 48°.

\* It was declared upon the trials, by a variety of witnesses, that this message was delivered at five o'clock, whilst some spoke as positively to its being received at seven o'clock.

38°. Ushant distant, twenty-seven leagues east half-south.

When the transactions of this day came to be canvassed, the Commander in Chief was distinguished by the particular notice of those ministerial agents, whose business it is to hunt down characters in the public prints. They placed him as the mark at which their envenomed shafts were aimed. The moderation which he had shewn in screening the misconduct of the officer who commanded his rear, and the favourable manner in which he had spoken of that officer's behaviour, in his letter to the Secretary of the Admiralty \*, were certainly not to be justified upon the principle of strict discipline, which is essential to the public service. This sacrifice of his duty he had been tempted to make to the remembrance of a long-subsisting friendship, which however had for some time been in its wane †. Had Keppel immediately, upon his orders being disobeyed, put the delinquent under an arrest, and brought the whole transaction before a court-martial, with a rigid but warrantable austerity, the alarm which such a spirited conduct would have spread in the navy, and throughout the nation, would not

\* Keppel commissioned Capt. Faulknor, whom he sent with his official dispatches from Plymouth, to acquaint the marine minister, " that he (the Admiral) had more to say to him than he thought proper to put in his public letter, and if it was his Lordship's pleasure to ask him any question, he was ready to wait upon him." This message the Captain not only delivered, but repeated, and it was both times received without any apparent attention being paid to it, and no answer was made.

† It has been said, that Admiral Keppel named Admiral Pigot for the third in command of the grand fleet, but that appointment was over-ruled. Keppel and Palliser had been the common friends of Sir Charles Saunders, a man highly meritorious as a naval officer, of whose ample fortune, at his death, they each largely partook.

have

have been so violent, nor its consequences so fatal as those which have been actually experienced.

Admiral Keppel sailed again on the 23d of August, with Sir Robert Harland and Sir Hugh Palliser second and third in command, and being joined some time after by three line of battle ships, his force then consisted of thirty-one sail of the line. The French fleet left their harbour five days before, but shaping their course to the south westward, effectually avoided a second action; hereby, however, the trade of France was left defenceless, and several West Indianmen bound to Nantes and Bourdeaux were captured, also three East Indianmen were made prizes to two private ships of war and a king's frigate; whilst our own trade arrived from every quarter of the world safe and unannoyed.

When the approach of winter caused the grand fleet to return home from its second cruise, the Admiral was received by his Sovereign with every mark of satisfaction and regard, whilst the first Lord of the Admiralty was in no respect backward in his professions of good-will and esteem. At length, however, the never-ceasing buzz of paragraph writers excited the nation to discontent. The people always expect some decisive consequences when two fleets or two armies engage; and although that expectation is continually disappointed by the event, yet its impatience is no ways abated. Sir George Pocock, during the last war, thrice fought and worsted the French fleet in the East Indies, without a single ship being sunk or captured on either side. In short, no general action at sea, during the present century, when the force on each side has been nearly equal, has proved decisive, or attended with any of those circumstances which are calculated to elevate and surprise.

From



From the events which turned up in Europe during the summer of the year 1778, it is now time to pass over to those in America. The commissioners appointed by his Majesty to carry into effect the conciliatory propositions offered by parliament, were, the Earl of Carlisle, Mr. Eden, Governor Johnstone, and the commanders of the land forces, and of the fleet in America. The political sentiments of the first commissioner were well known by his conduct in the House of Lords, where he had declared his full approbation of coercive measures in unqualified terms, nor could any other conduct have been expected from the son-in-law of the Earl of Gower. Mr. Eden was under Secretary of State to the Earl of Suffolk, and on that account possessed no prepossessing qualities when he appeared as a messenger of peace in America; but the popularity of Governor Johnstone was to make ample atonement for the antipathy which operated against the two principal agents in this business. Early in the month of June the commissioners arrived at Philadelphia, and immediately forwarded a letter, the two acts of parliament under which they acted, and other necessary credentials to Mr. Laurens, the President of the Congress. They proposed, in the name of the King and Parliament of Great Britain, an immediate cessation of hostilities both by land and sea. That the most unrestrained freedom should be given to the American trade: that no military force should be maintained in any part of America, without the consent of a General Congress, or of the Provincial Assemblies; they offered to concur in measures which might tend to discharge the debt contracted by Congress, and which might in the meantime, raise the credit and value of the paper circulation: that the union thus restored should be perpetuated by a reciprocal deputation of agents from the respective States, who should have the privilege of a seat and voice in the Parliament of Great Britain; or if such agents  
were

were sent from Britain, that they should have a seat and voice in the assemblies of the different States to which they might be respectively deputed. The conditions offered were so ample, that they seemed to reserve nothing more to the Mother-country than the shadow of authority over her Colonies; to put an end to the declared and avowed independence of America, but to legalize to that country an actual independence \*.

Two causes operated to prevent these proposals proving successful. A month before the Commissioners arrived, Mr. Silas Deane had reached York-Town from Paris, with a ratification of the two treaties between the Court of Versailles and the Thirteen United States of America. By the eighth article of the treaty of defensive alliance, neither of the two contracting parties were to conclude either truce or peace with Great Britain, unless the formal consent of the other was first obtained, and they mutually engaged not to lay down their arms until the independence of the United States should have been formally or tacitly acknowledged. However inclined the members of the Congress, and the whole body of the people, might have been to renounce their new alliance and return to their old connections and habits, yet such a strong belief was entertained of the insincerity with which the proposals from Great Britain were fraught, that little attention was paid to them. They were said to be dictated merely for the purpose of seducing America from her French alliance; that when her breach of faith should have left her unprotected and defenceless, she might experience the full measure of chastisement which the rankling, though concealed, resentment of Great Britain, should

\* "We sent out," said Mr. Burke, "a solemn embassy across the Atlantic ocean, to lay the Crown, the Peerage, the Commons of Great Britain at the feet of the American Congress." *Speech at the Guildhall, in Bristol.*

prompt her to inflict. The Congress, therefore, replied to these overtures for an accommodation, that the acknowledging the independence of those States, or the withdrawing of his Majesty's fleets and armies from their coast and country, could alone pave the way for such a treaty of peace and commerce, as should not be inconsistent with other treaties which already subsisted.

It being found that the Congress, as a body, were inflexible, and that the defection of any one Colony from the general confederacy was highly improbable, recourse was therefore had to individuals, and offers of large sums and the highest posts were made to the leading men in America, to prevail on them to intercede in behalf of Great Britain, now become a suppliant to her Colonies. It is probable, that this was the first instance in which this country had attempted to conciliate the Americans, by speaking to the private interests of particular persons\*. General expressions

\* In a very sensible pamphlet, written by Sir William Draper, which was published at the commencement of the present troubles, is the following passage. " It seems very extraordinary, that we should never think of guiding our affairs in that part of the world (America) with the same *prudence* as in this. Benefits and obligations constitute the public, as well as ministerial, stability: an ass loaded with gold has sometimes effected more than an able General with twenty legions. I am far from thinking the Americans corrupt, but I think all men sensible of good offices. If you desire to reap should you not sow? Of the numerous employments and sinecures in America, created chiefly for the purpose of obligation and dependence, how few are the portion of its inhabitants? Some indeed act as deputies to the principals here, who live at their ease, without the least attention to any part of their duty but the salary. The recommendation of a Governor is rarely taken, and when the people find they can have no encouragement or reward for supporting government, disappointment or resentment soon prompt them to see through the unsubstantial power of their rulers, set over them sometimes more from compassion than true discernment, and whose distresses have

sions of grateful acknowledgements, for any services which might be rendered, were conveyed to Washington, Laurens, and others. The offers made to General Reed were more specific, viz. 10,000 l. and any office he pleased in the Colonies. The General returned for answer, "He was not worth purchasing, but such as he was, the King of Great Britain was not rich enough to do it." In all these transactions Governor Johnstone was agent.

Every one who was any way tampered with, discovered the transaction to Congress, who caused each circumstance to be published and circulated through the Provinces. Although the alliance with France was universally disrelished, and the ratification of the treaties by the Provincial Assemblies was long delayed, in the northern Provinces for upwards of a twelvemonth, yet the Americans did not seek a mitigation of the evil in a return to Great Britain.

This mortifying rejection of a most humiliating overture, was immediately followed by a step which proclaimed to all the world, that neither the numerous armies which had been sent to America, nor the immense sums which had been expended on the war, were adequate to the purpose which they were designed to effect, and served only to render the kingdom an object of contempt to its enemies, and of pity to its friends. After large sums had been lavishly expended in constructing works for the security of the city of Phila-

have been made an apology for want of education, judgment, or abilities to govern." *The Thoughts of a Traveller on our American Dispute, published in 1774, by Ridley.*

Sir William crossed the Atlantic to make the tour of America; his remarks on the disposition of the people are solid and important, he was very capable of imparting useful truths to those in power, had they been disposed to have received them.

delphia,



delphia, it was found to be an untenable post, and Mr. Eden, who was entrusted with the secret resolve of the British cabinet, which had been concealed from Governor Johnstone, at length produced the orders from the American Secretary to Sir H. Clinton, now Commander in Chief, for evacuating Philadelphia, crossing the Delaware, and marching the army through the Jerseys to New-York. If the Americans had halted between two opinions, concerning embracing or rejecting the proposals made them by the Commissioners, every latent propensity in favour of reconciliation was extinguished by this dereliction of territory, of friends, and of reputation. From this period the American war became utterly hopeless.

The whole army passed the Delaware on the 18th of June, 1778. The only road by which the baggage and stores could proceed to New-York was narrow, so that the waggons, artillery, and camp equipage, extended twelve miles; notwithstanding which, the General found means to defend the whole, from all attempts made by Washington and his army. A large body of Americans, commanded by General Lee, was driven back, and if the intense heat of the day \* had not put a stop to pursuit, the Royal army would have obtained a very decisive advantage; but being thus impeded, the action was memorable only from the circumstance of fifty-nine soldiers having expired through excessive heat and fatigue, without receiving a wound. The American accounts represent the fortune of the day as having been reversed by the misconduct of General Lee, and assert, that if he had acted with spirit, a very capital advantage would have been gained over the royal army. That officer was afterwards tried by a court-martial on fe-

\* June 28.

veral charges, and dismissed the service. The Marquis de la Fayette distinguished himself greatly in this action.

The judicious manner in which Sir Henry Clinton conducted this retreat of the confederate army, received great applause : it is perhaps his most distinguished achievement. His whole force did not reach Sandy Hook until the first of July, so that a fortnight elapsed from leaving Philadelphia to the arrival of the army at New York. If such were the impediments and dangers in traversing this country, with an enemy hanging on their rear, it is obvious to infer, that Sir William Howe was perfectly right in not attempting to penetrate by that route, when Washington was prepared to dispute every inch of ground, and the British general must have driven the enemy before him through the whole progress ; a situation much more embarrassing than merely to repel his attacks.

The abandonment of Philadelphia was rendered necessary by the approach of the Count d'Estaing's fleet to the American coasts. Interest and ambition will frequently lead men to assume the semblance of generosity ; but that government, which was then actually exercising the most unfeeling severity on the brave Corsicans, because their stubborn nature could not be brought to yield obedience to a foreign yoke, should have little credit given to it, on the score of motive, in the relief which it now sent to America. Tempests, which had dispersed and shattered Admiral Byron's fleet, had only retarded that of d'Estaing, so that he arrived in full force at the mouth of the Delaware, the latter end of June, only three days after Lord Howe had sailed from thence for New York. The British naval force was so inferior to that of the enemy ; that the consequences of his arrival but a few days sooner

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might have been very fatal. The Americans, masters of Philadelphia, Sir Henry Clinton's army on its march, and only six sixty-four gun ships, three fifties and two forties, to make head against eleven ships of the line, of which one carried ninety guns, another eighty, six seventy-four, and three sixty-four, besides which, there were a fifty-gun ship and three large frigates; neither superior bravery nor skill, although exercised in their fullest extent, seemed capable of extricating such a fleet from such a situation. The French Admiral, thus disappointed of meeting his enemy in the spot most favourable to his designs, sought him in his more defensible post. Lord Howe, who possessed every qualification of a naval commander in a very eminent degree, made great use of a very short space of time, in protecting his ships in the harbour. The ardour, activity, and undaunted firmness discovered by all ranks on this trying occasion, presaged a favourable termination of the conflict.

D'Estaing appeared on the 11th of July, and immediately made the necessary disposition for an attack, but the danger to which his large ships would have been exposed in passing a bar which obstructs the approach to New-York, abated his impetuosity; he therefore continued ten days before Sandy-Hook without attempting any thing against the British fleet, and then directed his course towards Rhode-Island, for the reduction of which, a plan had been concerted with Congress. General Sullivan, at the head of ten thousand Americans, being to pass over from the Continent and attack the town of Newport and the British lines, whilst the French fleet assailed them on the opposite side.

Lord Howe, soon after the departure of the French fleet, was joined by three ships, one of which carried seventy-four

four guns, the other sixty-four, and the third fifty. He was now superior to the enemy in number of ships, but much inferior in weight of metal and actual force. He was not however deterred by these disadvantages from sailing out with a design to try the fortune of a battle. On the 10th of August, 1778, the French fleet having quitted its station before Newport, appeared drawn up in order of battle, but the wind being then in their favour, Howe endeavoured to gain that important advantage by skilful tackings, not choosing to risk the fate of his country against such increased odds; but in this he was baffled by the counter movements of the enemy. The whole of the next day was spent in these fruitless efforts, so painful to a man of ardent bravery, when in the immediate prospect of encountering the foe. The Admiral, despairing of bettering his situation, about four o'clock in the evening, threw out a signal for the ships to close to the centre, and form in line of battle a-head, and in that position he waited the approach of the enemy, who was between two and three miles distant.

The British Admiral, in conducting the operations of the fleet under his command, adopted a mode of conduct altogether unknown to former naval commanders, and which indeed none but those of acknowledged bravery could adopt, without incurring imputations on their character: he removed from the *Eagle* to the *Apollo* frigate, that he might be better situated for directing the subsequent operations of the squadron. A sea fight of a very singular kind was now about to be entered upon, in which the weight of metal was to be opposed to the dextrous working of smaller ships, more numerous, and possessing all the advantages of *British* seamanship. The brilliancy of Lord Howe's courage had appeared on many trying occasions; it was generally acknowledged, that in the naval line he had not a superior;



a most rare opportunity now presented itself for the display of his professional skill. Hitherto, during the American war, the naval Commander in Chief had no opportunity of eminently distinguishing himself; this was the precise point of time for doing it; but whilst the battle was thus put in array, a strong gale of wind arose, which in a short time increased to a violent tempest that continued for near forty-eight hours. This entirely changed the nature of the conflict, and both fleets had to contend with the enraged elements, instead of each other. The storm soon dispersed the ships of both squadrons, and threatened them with destruction. The Apollo, with the Admiral on board, sprung her main-mast, and lost her fore-mast; he therefore went on board the Phoenix as soon as the weather became more moderate; that frigate he soon after quitted for the Centurion; but on seeing ten sail of the French Squadron at anchor, about twenty-five leagues eastward of Cape May, his Lordship left the Centurion in a proper station to watch their motions, and to direct any British ships that might arrive, and, again going on board the Phoenix, reached Sandy-hook on the evening of the 17th, that place being the rendezvous appointed in case of a separation\*.

This storm proved much more fatal to the French ships than to the English. Their Admiral's own ship, the Languedoc, of ninety-guns, lost her masts, and narrowly escaped being taken by a fifty-gun ship, commanded by Capt. Dawson, whose superior courage and dexterity supplied the place of force; but in the moment when he was about to seize his glorious prey, six French ships of force appeared, and averted the otherwise inevitable fate of their Admiral. The English acquired great honour in every

\* Hervey's Naval History, p. 555.

action which they maintained ; Commodore Hotham, in another fifty-gun ship, fell in with the *Tonnant* of eighty guns, which the storm had also dismasted. This ship would have fallen a prey to the English, if it had not been rescued by the coming up of the French fleet. Capt. Raynor, in the *Isis*, another fifty-gun ship, fought a French seventy-four gun ship for an hour and half, within pistol-shot, both ships had suffered nothing by the tempest, yet Capt. Raynor not only defended himself, but at length compelled his antagonist to put before the wind.

The English had now gained a superiority over their enemies on the American coast, by another sixty-four gun ship, one of Byron's Squadron, having arrived. D'Estaing collected his scattered fleet off Rhode-Island, and whilst he remained in that bay, he became exposed to similar dangers, as those which the British Admiral had so lately escaped in the Delaware ; he too was saved by the same means, for Lord Howe did not appear until his enfeebled enemy had reached the port of Boston \*. The arrival of Admiral Byron some time after, caused the command in chief to devolve on him, and Lord Howe returned home.

It was little less mortifying to France than to America, to see that formidable fleet, which had six thousand land-forces on board, instead of effecting the great things which had been expected from it, enter the port of its new ally, a distressed fugitive. These disappointments which had happened, notwithstanding the force under Byron had been rendered incapable of taking any part in the naval campaign, by a tempest which dispersed and shattered his ships, caused mutual dissatisfaction, and heightened that natural

\* August 30, 1778.

ill-will which subsisted between the people of Massachusetts Bay and the French, particularly among the lower ranks, so as to produce affrays and skirmishes between the townsmen and the sailors, which the magistrates and officers, with all their exertions, were hardly able to suppress. Sullivan being now abandoned by the fleet, retreated from Rhode-Island, which Sir Henry Clinton in person, with four thousand men, had proceeded by sea to relieve.

The operations of the army at New-York, during the campaign of 1778, were carried on by detachments. Major-General Grey destroyed in Plymouth county, eight large vessels, six armed vessels, and seventy sloops and schooners of inferior size, with all the magazines and stores in those parts; and from a small but fertile island called Martha's, or Martin's Vineyard, carried off the amazing quantity of ten thousand sheep and three hundred oxen for the supply of the army at New-York, a contribution which he had exacted from the inhabitants. The same officer soon after surprized a regiment of American light horse, called Baylor's regiment, at New Tapan, near the North River, almost the whole of which was put to the sword. An expedition to Egg-harbour on the Jersey-coast proved likewise successful, in destroying some privateers, and surprizing three troops of light infantry in the night, most of whom were slain.

These instances of merciless rancour in British soldiers, were however greatly outdone by the savages, in their incursions into the Back Settlements, in which expeditions they were guided by the American refugees, who had taken shelter among them, and whose resentments against their countrymen disposed them to join in any deliberate acts of cruelty. The infant settlement of Wyoming, which  
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had been peopled by the over-flowings of population in Connecticut, was doomed to become a dreadful example of the exterminating spirit which may seize even human breasts. The fine river Susquehanna ran through this district, which, though it dated its first establishment subsequent to the conclusion of the late war, possessed such uncommon advantages in soil and climate, that it became extremely populous; whilst the productions of the earth increased in proportion to the number of its inhabitants. A thousand men from this country served in the American army, so that the settlement was left in a very weak state of defence; which being reported to Col. Butler, who had been employed as an agent among the northern savages, and who had sometimes acted as their leader, he immediately led a body of about fifteen hundred men, partly Indians, and the rest disguised like such, against this hitherto happy region, which was protected from attacks by four forts. The first of these was voluntarily surrendered, being occupied by those who are called Tories: the second was taken by storm, and the men who were found in it were murdered, with many aggravations of malicious-cruelty, but the women and children were spared. Under pretence of holding a parley, Butler drew the principal officer, with a great part of his force, from the third fort, into an ambuscade, where they were cut to pieces, only the commander and about seventy of his men escaping. The invader then invested the fort, thus rendered incapable of any effectual defence, and to appal the spirits of the miserable wretches within it, he sent them two hundred gory scalps of their murdered relations and comrades. When the besieged begged to know what terms he would grant them on surrendering, he replied, "the hatchet." Despair caused the place to be defended a short time longer, but it was at length surrendered at discretion. The conquerors, now grown



weary of manual butcheries, after having selected some few from the general sacrifice, shut up the rest, without regard to sex or age, and setting fire to the building, enjoyed the diabolical pastime which such a spectacle afforded; whilst their ears were gratified with the piercing cries of the tormented and expiring victims. Another fort still remained unattacked, but which was surrendered without any resistance being offered. It was however fatally proved, that the relentless nature of these blood-hounds could neither be humanized by submission, nor satiated by slaughter. Some provincial militia, who were found in the fort, were put to death on the spot, but with lingering and laboured cruelty; the rest, of each sex and of all ages, were shut up in the houses, which were immediately set on fire, and the inhabitants and their dwellings perished together. The families of such as were denominated Tories, were, in general, saved from this massacre, though in many instances the rage for carnage was indiscriminating. No sooner were the inhabitants extirpated, than the country was laid waste, and the cattle that escaped with life, were suffered to live only to endure a keen sense of misery, by their tongues being cut out, or their bodies maimed in some irremediable manner—The facts here stated are taken from the account of this expedition which was published by Congress. None other has appeared, nor has the authenticity of this account been controverted.

A party of Americans, eager to revenge such a scene of desolation as the world has been a stranger to for more than a century, not long after, penetrated with uncommon perseverance, and in contempt of every danger, into the recesses from whence these fiends had issued. All the caution with which they approached, could not prevent an alarm being spread, so that the inhabitants, both Indians and Refugees, escaped;

escaped ; but their houses, and every thing which they possessed, were destroyed and laid waste.

A Colonel Clerke, about the same time, proceeded from Virginia into the country of the Illinois, a nation of Indians dwelling near the Upper Mississippi, among whom the French are settled in great numbers. His principal object was to seize the French Governor, M. de Rocheblave, who had been very active in stirring up the Indians to attack the back settlements, and who paid them a price for scalps. Although twelve hundred miles were to be passed in order to arrive at Kaskaskias, the place of his residence, yet the purpose was fully accomplished. The place was completely surprized, the Governor was seized upon, and sent prisoner to Virginia : all his papers were likewise secured. In this expedition the Indians were every where slain without mercy, but the French inhabitants obtained security in their lives and property, by taking an oath of allegiance to the new States.

Whilst these horrid scenes were transacting in the Back Settlements, the Sieur Gerrard arrived at Philadelphia, invested with a public character from the court of France to the American States. The Congress having now returned to their original place of assembly, received this Minister in due form, in that very city from whence the British Commissioners had been compelled to withdraw a few weeks before. These Commissioners, now despairing of rendering any service to their country by their embassy, issued a long manifesto from New-York \*, addressed to the people at large of the Thirteen Colonies ; in which they represented the conduct of Congress, as destructive of the true interests

\* October 3, 1778.

of America : they charged that body with having assumed powers which their constituents had not delegated to them, and with deluding and deceiving the people. They then pronounced their farewell to America, by saying, "that the country having professed the unnatural design not only of estranging herself from Great-Britain, but of mortgaging herself and her resources to France, the question is, how far Great Britain may, by every means in her power, destroy or render useless, a connection contrived for her ruin, and for the aggrandisement of France. Under such circumstances, the laws of self-preservation must direct her conduct, and if the British Colonies are to become an accession to France, those laws will direct her to render that accession of as little avail as possible to her enemy."

One of the first consequences of hostilities being commenced by the French on the coast of America, was, the dispossessing them of their fisheries on the Banks of Newfoundland, which the peace of Paris had granted to them, rather as a matter of favour, to be held at the good pleasure of Great Britain, than as a tenure to be maintained by force of arms. Admiral Montague, therefore, who at this time commanded on the Newfoundland station, sent Commodore Evans with a sufficient force, to seize upon the small islands of St. Pierre and Miquelon. The Governor and inhabitants, amounting, with the garrison and seamen, to near two thousand men, capitulated\*, and were conveyed to France, upon which the islands were reduced to their former state of desolation.

As soon as an approaching war with France was rumoured in England, a committee of the West India merchants

\* Sept. 15, 1778.

waited upon Lord North, to represent the defenceless state of the West India Islands, and to solicit that a proper force might be sent out for their defence. The minister expressed his concern, that the posture of public affairs was such, as rendered it impossible for government to strengthen those possessions with any additional troops, and recommended to the merchants, that they should provide a sufficient security by their own exertions. The defenceless state of Dominica could not be concealed from the French; whilst the situation of that island between Martinico and Guadaloupe, caused the Marquis de Bouille, Governor general of the former, to endeavour to re-annex this spot to the crown of France. As soon, therefore, as he received the document from his court, which was equivalent to a declaration of war in the West Indies, he proceeded thither with 2000 troops, and as fewer than 100 regulars defended the works, a capitulation followed of course\*. Governor Stuart, who commanded, obtained such favourable terms for the inhabitants, that the event was to them little more than a change of sovereigns. The French soldiers and volunteers were gratified by receiving a considerable sum in ready money in lieu of pillage, which prevented the smallest disorder being committed. Notwithstanding the want of a garrison rendered the island defenceless, yet one hundred and sixty-four cannon, and two brass mortars were found there, together with a very ample supply of warlike stores, which, though they did not at all serve to secure the place from a foreign attack, greatly enhanced the value of its conquest. The Marquis, effectually to secure what he had so easily gained, left a garrison of fifteen hundred men on the island. The loss of this little spot has proved of vast disadvantage to our naval operations in the West In-

\* September 7, 1778.



dies, and when the circumstances of it are considered, Dominica may be said to have been conquered in America. The enormous sum of 70,000*l.* sterling had been expended on its harbour and fortifications: a sum little short of that which had been received from government by the sale of lands in all the ceded islands!

The interests of Great Britain in the East Indies, were however attended to as early and efficaciously as possible. The chairman of the East India Company having communicated with the ministry on the posture of affairs with respect to Great Britain and France, was authorised to send advice over-land to the presidency at Madrafs, of the approaching rupture between the two kingdoms. The officer who was entrusted with this business, received instructions not to pass through, or even to touch upon the kingdom of France, lest suspicions should be excited concerning the purport of his dispatches: he therefore proceeded through Germany, and reached Madrafs with such celerity, that the Company's forces were forming for the purpose of laying siege to the French settlement of Pondicherry, at the very time that the fleets of the two nations were fighting off Ushant.

Early in the month of August, Major General Monroe, the Commander in Chief, had approached within four miles of the place, whilst Sir Edward Vernon, who commanded the fleet on that station, blocked it up by sea. His whole force consisted of a 60 gun ship, two frigates, the one of 28, the other of 20 guns, a sloop, and an India-man on her voyage to Europe. These hostile attacks were the first notices which the French received of any breach between the two sovereigns. M. de Tronjolly, the French naval commander, soon after appeared with a superior force,  
having

having a ship of 64 guns, two frigates, one of 36, the other of 32 guns, and two Indiamen armed for war. An action immediately took place, which was maintained with warmth for two hours, when Tronjolly retired into Pondicherry; but sailing out some days after, Sir Edward Vernon, who then lay off the harbour, prepared for another engagement. This the French chose to avoid, even at the inevitable loss of all their valuable possessions on the Coromandel coast: their squadron retreated in the night, and proceeding to the Mauritius, appeared no more in those parts. The frigate of 32 guns, named the *Sartine*, was taken.

On the 18th of September the batteries were opened before the town. M. de Bellecombe, who commanded, made a gallant defence, and the siege was continued very briskly until the 16th of October, when a general assault was intended to have taken place the next day; but the Governor offering to capitulate, prevented the slaughter and depredations which are consequent upon that last extremity of civilized war. Honourable terms were granted, and this important conquest was made with little loss. The fortifications have since been demolished by orders from home. The possessions which the French held on the Ganges, submitted without any struggle, so that France (as might have been expected) lost her possessions in the East to become patroness of the West. The ambition of princes is generally doomed to mourn over losses.

The King's speech on opening the session \*, was totally silent with regard to the American war, and the whole of the parliamentary business, during the session, which re-

\* November 26, 1778.

spected America, (the voting of supplies for continuing the war alone excepted) was brought on by the members in opposition. They reprobated the threat which had been denounced against America, by the Commissioners, previous to their departure from that continent, in very severe terms; and in the House of Lords a protest was entered against it, signed by no less than thirty-one Peers \*.

The attention of parliament now began to be engaged by an altercation which had arisen to a considerable height, between the Admirals Keppel and Palliser, on the conduct of the latter on the 27th of July. It has already been remarked, with what successful assiduity Admiral Keppel had been traduced in the public prints; at length those news-papers, which served as vehicles for anti-ministerial doctrines could no longer forbear acting in their vocation, and accordingly took up the other side of the question, so that the conduct of Sir Hugh Palliser was brought under discussion, with no more delicacy than had been shewn to his superior officer. During this reciprocation of slander, an anonymous letter was inserted, which was neither scurrilous nor misleading; it stated the transactions of that day fairly, and drew just and obvious conclusions, which indeed conveyed an implied censure on the Vice Admiral of the Blue. Sir Hugh Palliser applied to Admiral Keppel, requiring him to contradict the facts advanced in that paper. The Admiral declared his total ignorance of it or its author; but that he could not consider himself as under any obligation to confute an anonymous writer; he had not thought it worth his while to take notice of any among the numerous attacks which had been made upon himself. In a few days after, Sir Hugh Palliser published in the newspapers his state of facts, which bore hard on the conduct

\* December 7.

of his superior officer, and to this piece he signed his name.

This procedure caused the matter to be agitated in the House of Commons, and a member moved to address his Majesty for an order to bring Sir Hugh Palliser to his trial, which was then over-ruled, but not rejected. Before this proposition was resumed, Sir Hugh Palliser preferred to the Board of Admiralty five articles of accusation, or specific charges, against Admiral Keppel, for his conduct on the 27th of July, and demanded a Court-martial to be held upon that officer. The Admiralty-board were far from hesitating to comply with a requisition which affected the life of the most respectable Commander then in the service, and who, during forty years, had acquired the respect, esteem, and love of the navy : without adverting to the suspicious appearance which this conduct bore, of being dictated by personal resentment, from the length of time which had elapsed between the transaction on which it was stated, and the charges produced ; without being withheld by the consideration of the vast injury which such a step must inevitably produce to the public service, not only by encouraging a captious humour towards superior officers, but by introducing divisions and animosities into the navy, at a time when the salvation of the nation depended upon the united exertions of that body of men ; and finally without regarding the act of indelicacy, in giving countenance to a member of their own board, in his attack upon one, in every respect whatever his superior, whilst the accuser might be supposed to have taken this step for the purpose of screening himself ; uninfluenced by any, or all of those motives, they suffered an ill-founded plea of official duty to varnish over their prompt alacrity, and immediately sent a copy of the charges to the accused Admiral



miral, accompanied with a notice for him to prepare for his speedy trial. Such a conduct spread disgust through the navy, and no less than twelve Admirals, \* at the head of whom appeared the respectable name of Lord Hawke, signed a memorial, which was presented to his Majesty, in which they founded their complaint against the conduct of the Board of Admiralty upon the grounds above stated.

A court-martial was accordingly appointed to be held on board the *Britannia*, in Portsmouth harbour; but in consequence of the Admiral's ill state of health, an act of parliament was passed empowering the Lords of the Admiralty to order it to be held on shore: from the ship it was therefore adjourned to the Governor's house at Portsmouth, and began on the 8th of January, 1779. On the 11th of February, which was the thirty-second day of trial, the court having heard the evidence and the prisoner's defence, were of opinion, "that the charge was malicious and ill-founded; † it having appeared, that the Admiral so far from having by misconduct and neglect of duty, on the days therein alluded to, lost an opportunity of rendering essential service to the state, and thereby tarnished the lustre of the British navy, behaved as became a judicious, brave and experienced officer. The court therefore unanimously and honourably acquitted the said Admiral Augustus Keppel, of the several articles contained in the charge against him." Sir Thomas Pye, the president, on delivering to Admiral Keppel his sword, addressed him in the following words: "Admiral Keppel! it is no small pleasure for me to receive the commands of the court I have the honour to pre-

\* Hawke, Moore, Bolton, Graves, Pigot, Harland, Bristol, Young, Barton, Geary, Shulldham, and Gayton.

† In affixing this mark of strong and severe condemnation in the body of the sentence, on the conduct of the accuser, the court-martial considered themselves as a court of military honour, as well as of criminal jurisdiction. *Annual Register*.

side at, that in delivering you your sword, I am to congratulate you on its being restored to you with so much honour; hoping ere long you will be called forth by your Sovereign to draw it once more in defence of your country."

Immediately upon the acquittal of Admiral Keppel, both Houses of Parliament voted him their thanks for his gallant conduct on the 27th of July. The vote of thanks was carried without a dissenting voice in the House of Lords, and was opposed by only one member \* in the House of Commons. Soon after, Sir Hugh Palliser resigned his seat at the Board of Admiralty, gave up his posts of Lieutenant-General of the Marines, and Governor of Scarborough Castle, and vacating his seat in Parliament, kept nothing but his rank of Vice-Admiral of the Blue, which he was said to hold as a qualification for his trial by a court-martial. Besides the honours and authority annexed to these distinctions, he gave up an income of 4000*l.* per annum.

Many circumstances were stated in evidence on the trial of Admiral Keppel, which tended to criminate his accuser, the Lords of the Admiralty therefore issued orders for a court-martial to be held on Sir Hugh Palliser, which began to sit on board the Sandwich, in Portsmouth harbour, on the 12th of April. † The trial continued until the 5th day

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\* Mr. Strutt, member for Malden.

† According to the established mode of selecting officers for court-martial, the Hon. Keith Stuart, who commanded the Berwick, in Sir Robert Harland's division, on the 27th of July, being then at Portsmouth, would have been a member of this court, had he not been summoned as a witness on the trial, but being thereby disqualified, a nephew of the Admiral to be tried, took his place. Capt. Stuart was not examined on the trial. Lord Longford, of the America, whose station was near Sir Hugh Palliser on the day of action, was sent out upon  
a cruise,

of May, when all the witnesses having been examined, and Sir Hugh Palliser having made his defence, the court proceeded to deliver their opinion, which was, " That the behaviour of the Vice-Admiral of the Blue on the 27th and 28th days of July, was, in many instances, highly meritorious and exemplary; but that he was blameable for not making the distressed situation of his ship known to the Admiral, either by the Fox or otherwise. Yet as he was censurable in no other part of his conduct, the court are of opinion, he ought, notwithstanding that, to be acquitted, and he is acquitted accordingly." Vice-Admiral Darby, the president, then delivered Sir Hugh Palliser his sword, with this short address, " Sir, I am directed by the court to return you your sword." Sir Hugh being present the next levee day at St. James's, was presented to his Majesty, and graciously received.\* About the same time Sir Robert Harland struck his flag at Portsmouth, and resigned his command.

It is now necessary to return to the proceedings in Parliament, and the attempts made to afford relief to Ireland, come next to be spoken of. Earl Nugent described the great distresses of that kingdom, the manufacturers as suffering every species of human misery, and if not speedily relieved, he foretold that they would infallibly migrate, and carry their

a cruise. It has been remarked, that three captains of the blue division, who were involved in the Admiral's guilt, sat in judgment upon him.

\* As the Admiral had now been acquitted by a court-martial, in some measure to compensate for the sacrifices which he had made of posts and emoluments, on the death of Sir Charles Hardy, the next year, he was appointed his successor as Governor of Greenwich hospital, and some time after, is said to have been fixed upon to command a fleet destined to the East-Indies, but the Lord Chancellor refused to affix the great seal to the commission.

useful

useful arts along with them. The subject was frequently introduced. His lordship asserted, that the revenue of Ireland was then so diminished, that it yielded little more than the expences of its civil establishment, and he appealed to the minister for the truth of his assertion. Lord Beauchamp informed the House, that the Irish expected a free exportation, except in the article of woollens. When these applications proved of no avail, Mr. Burke spoke of 11,000 men in arms, all disciplined troops, which the constitution knew nothing of; a new kind of national defence, which he feared would prove too powerful for administration to control. The Marquis of Rockingham and Lord Shelburne, in the House of Lords, laboured the same point, but without effect. At length, towards the close of the session, Lord Gower entered into a kind of engagement for himself and his colleagues in the ministry, that a proper plan for the affairs of Ireland should be prepared and digested by the ministry, during the summer recess, and in readiness to lay before parliament at the opening of the next session, by which procrastination, the wound which at that time might have been healed, was suffered to become gangrenous.

The conduct of the first Lord of the Admiralty underwent a very severe reprehension, for having sent out Admiral Keppel with only 20 ships, when he knew, or ought to have known, that the French fleet consisted of 32. The vast sums voted for the various services of the navy, during the years that the Earl of Sandwich had presided over that department, were shewn to exceed, in a most astonishing degree, the provision made by parliament for that service, in any equal number of years, or even during the last war. The state of our navy was declared to have been superior at the breaking out of that war, to what it then was, and the cause of this alarming decline of strength was



attributed to the negligence and misconduct of the naval minister.

The pleas urged by the noble Earl in his defence were : That the French fleet was not in a condition to sail out of Brest, and actually continued in that harbour until the day after Admiral Keppel sailed a second time out of the channel\*. The neglected state in which the navy lay when Lord Hawke quitted the Admiralty Board, was pleaded as the principal cause, which furnished ground for the present complaint, although the comparative view which was taken of the navy in the years 1755 and 1778, was objected to as delusive. A fire at Portsmouth, which had consumed large quantities of stores, and a combination of the workmen, which had impeded the building and repairing of ships, were represented as events which must inevitably embarrass the marine minister in his attempts to provide a formidable navy. But these difficulties, he said, had been surmounted : the arsenals in every part of the kingdom were at that time so plentifully furnished with timber and naval stores of all kinds, so many ships were actually ready for sea ; so many more were preparing with vast expedition, and would soon be finished ; so that in a very short time, such a naval force would be got together, as would strike terror into our enemies.—Parliamentary enquiries into the conduct of ministers have long since become mere matters of form. The grossest neglects or mistakes may be glossed over by plausibility, and the best founded charges evaded by round assertions. Such, however, was not the state of government in this country, during the war which Queen Anne waged with the House of Bourbon ; each House of Parliament then instituted very close

\* In one of the state papers issued by the court of Versailles, the reason assigned why the French fleet did not sail sooner, is, that the court of Spain had just then become a mediator, to adjust the difference between the two nations.

and effectual enquiries into the management of naval affairs, even when the Queen's consort was Lord High Admiral.\*

In the House of Commons, an enquiry into the conduct of the American war was entered upon. Many witnesses were examined at the bar, and some in their place as members. The evidence of many tended fully to justify the conduct of Sir William Howe, that of others tended to charge him with a general want of vigilance, and brought particular instances of his conduct as proofs of his having neglected to improve obvious and decisive advantages. By

\* In the year 1704, two committees of enquiry were appointed by the House of Lords, one of which was to inspect the books at the Admiralty Office, in order to gain exact information of the conduct the Board had pursued, and the other to enquire into what was done at sea. By their means much mismanagement was detected, the whole of which was reported to the House: in consequence of which, an address was presented to the Queen, which covertly reflected on the Prince her consort. Her Majesty, however, wisely concealed her dislike, and in her answer assured the House, that she would take the substance of their address into her serious consideration, and give such directions as should appear most conducive to the public service. Dr. Campbell calls this address, which was presented on the 5th of February, 1704-5, one of the most valuable state-papers extant, as it is a noble instance of the true spirit of an English parliament. "It shews," says he, "how enquiries may, and ought to be conducted, and how agreeable it is to the nature of our constitution to lay before the crown, and exhibit to the people, true representations of the state of public affairs, that men may see how the money goes, which is said to be raised for their service, and not look upon government as a bad steward, that receives and pays without account. This I will be bold to say, was the reason that this war (for the Spanish succession) was carried on so much cheaper than our naval armaments have been ever since; for when enquiries are frequent, frauds seldom happen; but when these are either discouraged, made only for form, or used to serve the little purposes of parties, who, under colour of discovering the faults of a minister, mean no more than to become ministers themselves, things must go from bad to worse, and a spirit of plundering insinuate itself through all public offices." *Lives of the Admirals*, III. 407. Note.

these latter class of witnesses he was charged with inattention towards conciliating the minds of the Americans, and in not arming such as were well affected. The most essential witnesses in favour of the Commander in Chief, were, Lieut. General Earl Cornwallis and Major-General Grey; men who had borne the burden and heat of the service during the whole war. Those of most weight on the contrary side, were, General Robinson, Lieutenant-Governor of New-York, and Joseph Galloway, Esq; the former of these, from the post which he held, had obtained but few opportunities of being witness of the distant operations of the army, and the latter, who was a native of America, had been bred a lawyer, and was a member of the first Congress, but afterwards becoming a recusant, he attached himself to the Royal cause. On his examination, he appeared to know much more concerning General Howe, and the business as well as duties of a Commander, than about himself, and those proceedings in Congress in which he had borne a part.

The war had been peculiarly unfortunate, and it was an universally received corollary, that the conduct either of the Minister or of the Commander must have been highly criminal; hence every means were used to criminate the one in order to exculpate the other. We generally attribute all events whether prosperous or adverse, to the arrangements of men rather than to the nature of things, whose influence is, however, much greater, though less visible. The humiliating events of the American war may perhaps be owing neither to any wilful or flagrant misconduct in the Generals employed, nor in the Minister presiding, but to the impracticability of the attempt arising from the want of a sufficient force; could an Alva or a Parma subdue the Flemings, although the two greatest Generals of that age, when the  
military

military character of Spain was at its height? Although the first annexed the kingdom of Portugal to the crown of Spain, he only impoverished his country, and degraded himself in the Low Countries. In deciding upon the conduct of the American war, great displays of talents or zeal, at home or abroad, are out of the question; no ennobling merit can be claimed by any one, nothing more can be pleaded than not to have been intentionally wrong.

These enquiries had been set on foot by Sir William Howe and Lord Howe, after which General Burgoyne made his appeal to the House. Being considered in the light of a prisoner to the American States, he was denied admittance to his Sovereign, and his request to be tried by a Court-martial was also refused; he therefore threw himself upon the justice, and claimed the protection of the House of Commons, as the only means in his power of clearing his character to his profession and to his country, by procuring a parliamentary enquiry. Sir Guy Carleton, late Governor of Quebec, was examined, and many of the officers who had served on that unfortunate expedition, the evidence of every one of whom tended to place the merit and sufferings of the General in a very strong light. No endeavours were used by the ministry to weaken the force of this body of evidence; and all the reports which had been generally circulated and believed respecting the General's conduct in particular specified instances, in which it appeared to have been injudicious, and contrary to the opinions of the best officers serving under him, more especially his passing the army over Hudson's River, were found to be altogether groundless and false.

The Ministry, probably apprehensive of the consequences which might ensue from such a full and uncontroverted ex-



culpation of the General, caused repeated notices to be sent him from the Secretary at War, that it was his Majesty's pleasure he should return to his army at Boston \*. Finding all his endeavours to avert this sentence of exile, ineffectual, he threw up every appointment which he held under the crown, and thereby became no longer subject to orders from that quarter,

The session had been continued to an unusual length, when a Royal message to each House was officially presented †, which was accompanied by a Manifesto from the court of Spain, delivered by the Marquis D'Almodovar, the Spanish Ambassador, who had therewith received letters of recal. In this implied declaration of war, the court of Madrid complained in a very general and vague manner, of a variety of affronts and injuries which had been received from Great Britain. These were stated to amount to just one hundred in number; besides which, the Manifesto spoke in a haughty and angry tone, of the British Ministry having applied to the court of Spain to become a mediator in the dispute between France and Great Britain, which having been accepted, the negotiation was protracted and

\* These orders occasioned him to address a letter of remonstrance to the Secretary, in which he said, "I am deprived of a Court-martial upon my conduct in America, because I am not supposed to be amenable to the justice of the kingdom; and the King is told, I have disobeyed his orders, in the very same breath in that I am stated not to be accountable to him. By this doctrine it seems supposed, that I am not capable of receiving orders for the purpose of public justice or public service, but am perfectly subject to all such as have a tendency to my own destruction."—Lord Peterham, the present Earl of Harrington, surrendered at Saratoga along with General Burgoyne; that nobleman, instead of being ordered back to America, raised a company, and went with it to Jamaica.

† June 17, 1779.

fighted by the British Ministry, who shewed no sincere desire of profiting by the mediation which they had sought.

A general consternation seized the nation upon the appearance of another enemy, although the state of politics in Europe at that time, seemed obviously to point it out. Neither friend nor ally presented itself in this season of our extremity; the crisis was awful and alarming; the British empire seemed to shake to its foundations, yet the nation felt no desponding panic, but seemed ready to meet its fate with a fixed firmness. During the first emotion, a bill was framed for doubling the militia, which however did not pass into a law, but the powers vested in the Board of Admiralty to impress seamen, were enlarged, and the claim of protections in many instances, was rendered invalid.

The necessity of putting an end to the war in America, was now reiterated with redoubled force, but still the attachment to that ruinous and hopeless contest was unalterable; neither the expediency of striving to reduce the growing power of France and Spain, which called for the full exertion of our own, nor a regard to the instinctive principle of self-preservation, could be suffered to operate whilst America remained unsubdued,

The supplies for the year 1779 had been stated by the Minister in this session rather earlier than usual; the budget having been opened on the 24th of February, so that no provision was made for raising a force to withstand the attacks from Spain. The services of the year were then estimated to require 15,729,654l\*. The land-tax and

\* N A V Y.

70,000 seamen, including 17,389 marines, ordinary,  
building and repairing ships - - -

4,589,069

[N. B. Nothing was voted for Greenwich Hospital.]

duties

Duties upon malt furnished their wonted proportions. Seven millions were raised by annuities, and a Lottery, consisting of forty-nine thousand tickets, was distributed among the

## A R M Y.

30,346 effective men, including every expence	-	-	1,085,926
Provisions for forces in North America, Nova Scotia, Gibraltar, the Ceded Islands, and Africa	-	-	1,103,118
Foreign troops serving in America, with the subsidies, provisions and artillery, amounting to about 22,000 men	-	-	654,674
Hanoverians serving at Gibraltar and Minorca	-	-	56,075
Augmentations to the forces for 1779	-	-	259,715
Extraordinaries of the land-service	-	-	2,026,137
Ordnance	-	-	917,364
Chelsea Hospital	-	-	103,127
Militia in England, and Fencible men in Scotland; cloathing for ditto, and additional companies	-	-	724,304

## MISCELLANEOUS SERVICES.

To the Levant Company	-	-	5,000
New Roads, &c. in Scotland	-	-	6,995
Augmentation of Salaries to Judges	-	-	4,100
Sums issued in pursuance of Addresses from the House of Commons	-	-	32,968
Maintaining and employing Convicts on the Thames	-	-	13,586
For the Relief of Loyal American Refugees	-	-	60,527
Surveys in North America	-	-	2,041
For discovering a Method of dying Scarlet and Crimson on Linen and Cotton	-	-	5,000
Civil Establishments in the Island of St. John's, Georgia, E. and W. Florida	-	-	20,796
Fort and Settlements in Africa	-	-	13,000

164,013

Last Year's Vote of Credit discharged	-	-	1,000,000
Exchequer Bills discharged	-	-	2,000,000
Prizes in Lottery, 1778, paid-off	-	-	490,000
Deficiencies	-	-	

the subscribers, in the proportion of seven tickets for every thousand pounds subscribed, at 10*l.* each ticket. Lord North said, he wanted to have raised eight millions, but could procure no more than seven. The whole amount of the money raised by the Lottery was to be distributed in prizes. The sinking fund furnished 2,071,854*l.*\*. Exchequer bills, to the amount of 3,400,000*l.* were voted, and other less considerable articles of revenue completed the Ways and Means. The number of seamen was augmented to seventy thousand, and the land forces to thirty thousand three hundred and forty-six. A vote of credit for a million was afterwards passed. No part of the Navy debt was discharged this year. The terms on which the loan was filled, were, besides the douceur of Lottery tickets, three per cent. per annum, and an annuity of 3*l.* 15*s.* per annum for the term of twenty-nine years, for every 100*l.* The annual interest payable on the money borrowed, amounted to 472,500*l.* to raise which, an additional duty of five per cent. was laid on the full produce of the Excise; beer, ale, soap, candles, and hides excepted; (which was estimated at 282,109*l.*) a tax on post-horses of one penny per mile (164,250*l.*): an additional duty of five per cent. on cambricks (36,000*l.*).

No more than fifteen days elapsed between the delivery of the Spanish Manifesto and a Spanish army blockading Gi-

Deficiencies in Land, 250,000 <i>l.</i>	Malt, 200,000 <i>l.</i>	Fund
in 1758, 40,540 <i>l.</i>	Ditto in 1778, 98,891 <i>l.</i>	In Grants
for 1778, 66,744 <i>l.</i>	-	-
		656,175

[Note. The enumerated Articles of Expence exceed the given Total, by One Hundred Thousand Pounds.]

\* The produce of the sinking fund, at the quarter ending 5th of January, 1779, was not specified as usual, because the large appropriation of that fund the preceding year had consumed more than the whole.

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braitar. The attention of Government had been however effectually employed to put that important possession into a strong state of defence. A numerous garrison defended the works, and an ample supply of ammunition and necessaries were deposited in the magazines; but we shall forbear to speak of the military transactions in Europe during the year 1779, until the events which turned up in the western hemisphere are related.

Whilst Admiral Byron's fleet blocked up the harbour of Boston, D'Estaing dared not put to sea, but a storm having driven the former from his station in the beginning of November 1779, the latter took the opportunity to make his escape, and proceeded to the West-Indies. Towards the latter end of the same month a body of troops, consisting of Highlanders, Hessians and Provincials, which were commanded by Lieutenant Col. Campbell, embarked in transports at New York, and being accompanied by a squadron under Commodore Hyde Parker, proceeded to Savannah in Georgia, whilst Major General Prevost, who commanded in East-Florida, was directed to co-operate in the design of reducing that province, by entering it from St. Augustine, with all the force which he could draw together. Colonel Campbell, as has been related, was made prisoner at Boston, soon after the British army left the town. He had endured a long and rigorous captivity, but he now compensated for his inaction, by totally defeating, immediately upon his landing, the American force which was collected for the defence of the Province, and commanded by a Major-General Robert Howe. He became master of the town of Savannah, as the first fruits of this victory, which was distinguished by a conduct not very prevalent in this civil war, for no violences were committed on the inhabitants, neither did any vindictive slaughter of the vanquished troops stain

tain the glories of the day. Had Colonel Campbel been actuated by personal resentment for the injuries he had suffered, he might have converted himself into the instrument for executing the valedictory threat of the Commissioners, but he associated humanity with his courage and conduct. The Province was subdued so soon after this decisive stroke, that General Prevost had only the opportunity of reducing the town of Sunbury. The chief command now devolved on that officer, and he was not backward to follow up these signal successes \*. General Lincoln had arrived at South-Carolina with an army for the protection of that Province, and posted himself on its southern frontier. A detachment from this army, consisting of two thousand men, was, by an effort of superior generalship, so completely surprised, as to lose one fourth of their numbers in killed or made prisoners, whilst those who escaped, abandoned their arms, which, together with the ammunition, baggage, cannon and provision, became the spoil of the conqueror †. Some time after, Lincoln having changed his position, Prevost entered South-Carolina with three thousand men, and gaining three days march of his adversary, appeared before Charlestown, which he summoned to surrender the 12th of May. No terms which he could offer, however favourable, were sufficient to induce a surrender, but it was proposed that the city and whole Province should observe a neutrality during the war, which being rejected on the other side, a general assault was expected by the inhabitants; the general, however, being without artillery, and unsupported by a naval force, desisted. He then took possession

\* The General immediately declared the Province in the King's peace; which shews the uselessness of the commission which was sent out principally for that purpose, but without exercising such authority in any one district.

† March 3, 1779:

of the island of Port Royal, by which he obtained a secure footing in the Province, whilst General Lincoln, with five thousand Americans, was unable to dispossess Lieut. Colonel Maitland of a strong post which he occupied at Stone Ferry.

The campaign on the side of New-York was languid, and its operations confined to the surprise of posts and desultory excursions. An expedition was undertaken to the Chesapeak in the beginning of May, in which Sir George Collier commanded the fleet, which effected the destruction of vast quantities of tobacco, large magazines of provisions and naval stores, together with one hundred and thirty ships and vessels, which were either burnt or taken. Another expedition to the coast of Connecticut, occasioned the destruction of the towns of Fairfield, Norwalk and Greenfield. The loss of an American fleet which sailed from Boston, to reduce a fortress lately constructed by Colonel Maclean on the river of Penobscot, was an irreparable blow to the Northern Colonies, by reducing a maritime force, which they had used every possible means to raise that human exertions could supply. The vigilance, intrepidity, and seamanship of Sir George Collier, achieved this great exploit. Eight American frigates, from thirty-two to sixteen guns, and seven armed brigs, were blown up; four more were taken; but the crews of the ships destroyed, escaped on shore.

The arrival of D'Estaing in the West Indies had been preceded by a large body of troops under Major General Grant, which Sir Henry Clinton had sent for the protection of the British islands there. This force, assisted by the fleet under Admiral Barrington, made a descent on the French Island of St. Lucia, and were on the point of becoming

coming masters of the whole, when D'Estaing appeared with fifteen ships to its relief. The danger of the British fleet and army became extreme, but the event of the contest displayed, in the most illustrious manner, the superiority of their valour and skill. The French commander, unable to make any impression upon the troops, who received him with a cool firmness, and swept away his men by their well directed fire, was equally incapable of bringing his superior naval strength to bear upon the British ships. After having suffered a loss in killed and wounded of 1600 men, foiled and disgraced in all his attempts, he abandoned the island, which immediately surrendered; so that he had the additional mortification of seeing the British flag flying from all quarters. The bravery of our troops, though it could chase away a foreign enemy, could not withstand the noxious qualities of the climate; both soldiers and sailors fell a prey to that destroyer. The labour which was requisite to put the place in a respectable state of defence, increased the mortality, and caused the possession of St. Lucia to be obtained at too dear a rate.

Admiral Byron arrived soon after, when Barrington, whose name ought ever to be revered for the essential services which he rendered his country, in repelling this formidable attack of the French, became second in command. Soon after, the British fleet was reinforced by a squadron under Admiral Rowley; and the French by one under M. de Grasse. The attention which was necessary to be paid to a valuable fleet of merchant ships which were collected at St. Christopher's, to proceed to England, obliged Admiral Byron to quit his station off Martinique. This furnished an opportunity for a small body of troops, not more than four hundred and fifty men, to be conveyed to the island of St. Vincent, where the disposition of the French inhabitants,



inhabitants, and of the native caribbs, were well known. This small force, under the command of an officer of inferior rank, found means to reduce the island\*, although defended by upwards of four hundred regular troops. The bad policy of that severity which had been exercised towards the native Indians upon that island, then became apparent, and a valuable possession was lost, by government having yielded a few years before to the solicitations of injustice and rapacity †. The good fortune of France now prevailed, La Motte Piquet arrived about the same time with a reinforcement, having on board troops and naval stores, whereupon D'Estaing immediately put to sea, and proceeded to the island of Grenada, having then twenty-six ships of the line under his command, and near ten thousand land-forces. The fate of the island was inevitable; but the resolute defence made by Lord Macartney, the Governor, protracted it for some time, until a hill which commanded the fort, being forced, after a gallant defence, in which the French lost three hundred men, the Governor proposed to capitulate; but the terms offered by the French General, with the haughty port of a conqueror, being unusually hard, the fort and island was surrendered at discretion ‡. The behaviour of D'Estaing, in this his first successful enterprise, degraded his character by the severity and oppression with which his conduct was marked. That series of adverse fortune which had hitherto attended him, could not fail of making a deep impression on a man so exceedingly irritable, and impatient to acquire glory; besides which, he harboured a personal resentment against the English nation; as he laboured under a charge of having broken his parole when a prisoner in the last war, on which account many expressions

\* June 16, 1779. † See page 95. ‡ July 3, 1779.

of strong contempt had been thrown out by the British naval commanders, against him, of which he was well apprised, and a mind conscious of a dishonourable action is prepared to admit the most implacable resentments\*.

The appearance of the British fleet, consisting of twenty-one ships of the line, was now too late to save the valuable possession which it became a witness to the loss of; but it interposed seasonably for the preservation of Tobago, the only possession which remained to England of the islands which were ceded to her at the peace of Paris. A partial engagement followed, in which Admiral Barrington, in the Prince of Wales, with the Captains Sawyer and Gardner, in the Boyne and Sultan, sustained the whole weight of the French van for a considerable time; the action was indecisive; many of our ships suffered considerable damage, and Admiral Barrington received a slight wound: the French are said to have had twelve hundred men killed and two thousand wounded; a Captain and five Lieutenants were slain on board one ship. Their conduct throughout the action, shewed great inattention to seize the advantages which presented, in consequence of their decided superiority in point of force.

If D'Estaing, immediately after this conflict, had bent his whole force against Jamaica, it can scarcely be doubted

\* The Count D'Estaing resembles Marshal Tallard in his defects; he is extremely short-sighted, and impetuous even to rashness; which caused him to be made prisoner before Madras in 1758, as Tallard was at the battle of Blenheim. He was permitted to return to Europe on his parole, but during the voyage he caused himself to be collusively exchanged, and immediately proceeded against the English East-India Company's settlement of Bencoolen, which he could not fail of reducing. This conduct led the late Admiral Boscawen to declare, that if it was his fortune to make D'Estaing his prisoner, he would chain him to the deck like a monkey.

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that he would have annexed that valuable island to the crown of France. The representations which were made to government of its weak state of defence, had been urgent and repeated, but without effect; indeed some time after troops did arrive, but the moment of extreme danger was then elapsed. As the progress of the British arms in the southern Provinces was a new and unexpected event, the French commander may be supposed to have received no positive orders from Europe, for attempting the recovery of Georgia and protection of Carolina; the instructions under which he acted might perhaps leave him at liberty to choose his own plan of conduct, and that he proceeded to the continent ought not to be attributed to warmth of zeal in the cause of his master's ally, because it was greatly for the interest of France to prevent, if possible, her rival becoming possessed of the valuable Province of South Carolina, from whence she drew those articles of commerce which were her only compensation for this most expensive alliance, and the forces of the country were utterly unequal to the task of protecting that Colony, so remote from the centre of operations. D'Estaing therefore was no sooner disengaged from Byron than he proceeded to Georgia, and on his passage thither, happened to capture Sir James Wallace in the *Experiment*, a fifty-gun ship, with a large sum of money on board, to pay the troops at Savannah; three frigates likewise fell into his hands.

The French troops were landed on the 9th of September, and on the 16th their General summoned the Commander at Savannah to surrender the town to the French King. Prevost, on the first alarm of danger, had called in Colonel Maitland and his force, which then was at Port Royal island, and that able officer effected his retreat, and arrived at the most critical point of time; for after various letters  
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had been interchanged between the two Generals, Prevost was allowed only twenty-four hours for returning a decisive answer. Had D'Estaing formed the attack immediately upon his landing, he must inevitably have carried the town; but his confidence in the force which he commanded, led him so much to despise his enemy, that he was rendered incautious, and weakly neglected to penetrate into their designs. Lincoln, with the American force, arrived the day after the invitation to capitulate had been rejected. The French army is supposed to have consisted of nearly five thousand men, the American of about three thousand: the whole force under Prevost, comprehending regulars, provincials, and sailors, might amount to three thousand, but ardent were the exertions used to strengthen the works, and supply the want of artillery with the guns from the ships. The judicious disposition of this force is to be attributed to Capt. Moncrieffe, who was principal Engineer.

An heavy bombardment began on the night of the 3d of October, which proving ineffectual, on the 9th a general assault was made upon the British lines by the French and Americans, on which occasion D'Estaing led his choicest troops in person. Capt. Taws, who commanded a redoubt, made a most heroic defence, but he was at length slain, whilst his sword was plunged into the body of the third enemy whom he had killed with his own hand. The bravery of this officer had been displayed in many actions, but his services had failed of procuring him any advancement in rank. When the foremost of the French troops had mounted the works, and were in the near prospect of becoming masters of the place, some batteries, which were discharged by seamen, dealt such destruction in every direction, as greatly impeded the advancement of the main body; at the same time a party of grenadiers and marines,



bravely assailed those who had gained the lines, and who had there planted the standards of France and America; these they slew, and immediately attacked the advancing enemy, stopped their progress, and threw them into disorder. All these exploits were performed amidst the obscurity of night, and by the return of day the enemy were effectually repulsed. At ten in the morning they asked a truce, for the purpose of burying their dead and carrying off their wounded; which lay in such numbers, as in many places to fill up the ditches; the works were strewed with them, and a most shocking scene of slaughter presented itself on every side. D'Estaing himself received two dangerous wounds; Count Polaski, a Polish nobleman, who had been an active partisan in the cause of America, was mortally wounded. The French did not lose less than fifteen hundred men in killed and wounded through the whole of this service; the loss of the Americans was never ascertained. On the 18th of October each broke up their camp, after having openly and passionately reviled the other as the cause of their joint misfortune: the former retreated on board their ships, the latter to Carolina, leaving General Prevost and his brave coadjutors, in possession of the highest renown, which military merit successfully exerted could possibly confer. The killed and wounded in this memorable defence, did not amount to more than fifty, but Lieutenant Col. Maitland, who had contributed greatly to this exploit, soon after died of a fever brought on by his laborious service.

In the mean time the French fleet had sustained considerable damage by tempestuous weather, which obliged the Commander to proceed with the chief of his ships to Brest, where he arrived, crest-fallen and disgusted, enduring the anguish of his wounds, and the keener sensations excited by a wounded spirit: defeated when he  
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had assured himself of conquest; upbraided by his allies; his military character debased, and the expectations of his country blasted: thus terminated the formidable expedition under the conduct of the Count D'Estaing. In Africa the French wrested from Great Britain the important settlement of Senegal, which had been taken from them in the year 1758.

Many were the distresses and embarrassments which the States of America experienced. Their wants were numerous, and their resources such as only their necessities could justify resorting to. The sums which had been issued by the authority of Congress, in paper currency, exceeded thirty-five millions of dollars, and the consequent depreciation of that symbol greatly sunk the credit of the New States. Unsuccessful attempts had been made to negotiate loans in Europe, and debts to the amount of more than eight millions, were contracted, without any funds being provided for their discharge, whilst the war still called for fresh supplies. The continental troops, to the want of pay added that of cloathing and other necessaries, whilst the northern Colonies appeared backward to furnish their contingents, and some of the leading men at Boston, openly expressed their apprehensions from a standing army being maintained, even in such an exigency of affairs, and the popularity of Washington became a cause of jealousy to these sharp-sighted republican theorists. The American force at sea was also brought extremely low, and the Sovereign whom they stiled their "great and good ally," was not at all disposed to lend any assistance to restore their marine. Nevertheless, amidst poverty, distress, and internal divisions, their resentment against England became more rooted and inveterate than ever.

The situation of Great Britain at that time seemed to forebode an utter extinction of her power and consequence. The Manifestos of France and Spain avowed the motives for their confederacy to be, besides the avenging their respective injuries, "a design to put an end to that tyrannical empire which England had usurped and pretended to maintain upon the ocean." To execute these threats, a fleet, consisting of twenty-eight sail, under the command of M. D'Orvilliers, sailed from Brest in the month of June, 1779, and joined a yet more numerous Spanish fleet at Cadiz, the French Admiral being entrusted with the chief command of this combined force, which amounted to sixty-six ships of the line, besides a vast number of frigates. Sir Charles Hardy was appointed to the command of the British fleet which was to defend the empire against its powerful enemies. This officer had quitted the service many years, having obtained the honourable retreat which the government of Greenwich Hospital was meant to afford. It had never been his fortune to render himself conspicuous as a commander, and the infirm state of his health was not calculated to procure popularity to himself, or stimulate to activity in the service, but the operations of the campaign were meant to be merely defensive, and the debility of exhausted life, it should seem, was thought adequate to such a purpose. Thirty-six ships of the line composed the grand fleet for the home defence.

The terrors of an invasion from France were now added to the other dangers which impended. Large bodies of troops were collected along the coasts of Bretagne and Normandy, which spread such a serious alarm, that a royal Proclamation was issued for driving the cattle from the coast of England, in case an enemy appeared with and attempted to land. Repeated requisitions had been made to the States  
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of the United Provinces, for the assistance in troops and ships, which by treaties they were engaged to furnish for the defence of this country ; but it had been found impracticable to draw any kind of answer from that republic. In this state of affairs, whilst Sir Charles Hardy was cruising to the westward, the combined fleet entered the British channel and appeared before Plymouth, where it continued for three days ; during which time no attack was made, although many indications were given of such an intention. It has since been discovered, that a place of such vast importance had been so overlooked, as to be utterly unable to make any effectual defence. So notorious had been the negligence in such a momentous a concern, that the cannonballs were found too large for the bore of the guns\*, and the future navies of this country were exposed to the destroying vengeance of its boastful rival†. This defenceless state of the place was happily unknown to the enemy, and it is probable, that no serious design had been formed of making a descent on any part of England. Such a proceeding could hardly have failed to force the Dutch, though most unwillingly, to become parties in the quarrel ; but the sickness which prevailed on board the ships, has been assigned as the cause of the inefficiency of this vast force. It is easier to provide ships than seasoned seamen : a contagious distemper raged on board the combined fleet, particularly the Spanish ships, which swept away great numbers daily, and a misunderstanding was said to prevail between

\* A like mistake, in not providing proper balls for the cannon, proved very fatal in the action at Bunker's-hill.

† It was understood, that a judicial enquiry into the cause of the defenceless state of Plymouth was to have been set on foot : so flagrant a breach of duty, called for exemplary punishment, the public service demanded it, but supineness or powerful applications caused the investigation to be suppressed.



the two commanders. Whatever was the cause, they availed themselves of a strong east wind to get out of the channel, which the British fleet entered in sight of D'Orvilliers, by whom it was followed. The English Admiral proceeded to the Isle of Wight, still drawing after him the force of the enemy. Here the channel narrowing, an engagement might have been maintained with less disadvantage on the score of numbers, but the contest was not brought to that issue. The combined fleet again retired, and early in the month of September reached their respective ports. The only advantage they gained by this menacing appearance, was in the capture of a sixty-four gun ship, whilst on its way to join the English Admiral.

The internal state of the kingdom, at the time when its outward splendor was thus eclipsed, became gloomy and cheerless. The public funds had fallen twenty-five per cent. in about five years, and the value of land had decreased in much the same proportion: The immediate ruin of the country was apprehended by many, though a desponding spirit did not generally prevail. Great numbers, who were accustomed to draw large incomes from the West-India islands, and who resided in the capital, living in a style of elegance and profusion which the most prosperous state of their affairs was scarcely able to support, were now obliged to reduce their expences within very narrow bounds, and for that purpose quitted the kingdom to reside in the Austrian Netherlands. A gentleman, whose rent-rolls in the counties of Huntingdon and Salop amounted to more than 6000*l.* per annum, had his apprehensions of a general crash of property so strongly excited, that he sold all his fine estates at sixteen years purchase, and renouncing his native country, went to reside at Venice, choosing rather to deposit his effects in the bank of that republic. On the other hand, the expectation

tation of an invasion produced many instances of public spirit. Subscriptions were opened for the service of the state, and large sums were raised in several counties of England, besides some additional regiments of infantry. The East-India Company gave bounties for raising six thousand seamen for the navy, and undertook to build, at their own expence, three ships of seventy-four guns each, for the public service. In Ireland, volunteer companies were formed, for the purpose of defending the kingdom against a foreign attack; and such was the readiness with which all ranks of people there submitted to be trained to arms, that thirty thousand men were soon formed into disciplined troops. So great an accession of strength gave a tone of resentment to their intercourse with Great Britain, which effectually compelled a compliance with their long urged requests. Agreements were entered into not to import or consume any merchandize from Great Britain, and their Parliament passed the money-bill, or the act for raising the supplies, only for the term of six months, instead of the customary term of two years. At any other season, such a conduct would have been considered as an act of rebellion, and the force of the kingdom both by sea and land, would have been drawn out to chastise such an outrage against the supreme authority of the state; but the pride of power was now so much reduced, that this offensive money-bill received the sanction of the British cabinet.

The Parliament met on the 25th of November, 1779. On the day preceding which, several resignations and new appointments took place. The Earl of Gower, Lord President of the Council, resigned, and Earl Bathurst was appointed to his post. Lord Weymouth resigned his secretaryship for the southern department, and was succeeded by the Earl of Hillsborough; Lord Stormont, late Ambassador  
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at Paris, obtained the Secretaryship of State for the northern department, which office had been unfilled ever since the death of the Earl of Suffolk, which happened in the month of March preceding. The post of First Lord of Trade and Plantations, ever since the appointment of a third Secretary of State, had been united with that office, but it was now separated, and bestowed upon the Earl of Carlisle.

A few days after the opening of the session, Earl Gower, who stood engaged to Parliament that relief should be granted to Ireland, declared the cause of his resignation to have been the divisions that prevailed in the cabinet respecting the treatment of that kingdom, and one of his sons in law\*, in the House of Commons, attacked Lord North on that score, with such uncommon asperity of language, that he thought fit, the next day, to apologize for his warmth. The situation of public affairs, at length wrung from government that relief, which would never have been obtained as a largess. Three acts were passed in the course of the session, by which the Irish were permitted to export their wool, and woollen manufactures, to import and export glass, and to carry on a trade of import and export to and from the British colonies in America and the coast of Africa, subject to such limitations, restrictions and duties, as the Parliament of Ireland should impose.

It was truly surprising to hear that very minister, who, when coercion towards America was resolved upon in the cabinet, had thrown aside, with so much ease, the numerous intercessory petitions which were then presented to Parliament, now plead, that he had hitherto been withheld from gratifying the wish of his heart, by rendering relief to Ireland, from an attention to the petitions which had been presented from some parts of the kingdom against

\* Mr. Macdonald.

any such indulgence!—It will appear in the sequel, that like a respectful deference to the petitions of the people, did not characterize the session of which we are now treating.

A petition, signed by seventy-five of the principal planters, merchants, and others, interested in the island of Jamaica, was presented to the House by Mr. Pennant, member for Liverpool. It represented the weak state of the defence on that island, and arraigned, in strong terms of censure and reproach, the neglect of government, in suffering so valuable a possession to be exposed to the attacks of an enemy, and claimed protection as a right. The warm manner in which this affair was taken up, occasioned some new raised troops to be sent there soon after.

The attention to an economical expenditure of the public money, which had been shewn by particular members in each House of Parliament, for the last five years particularly, not having proved effectual to the obtaining any cure for the great and growing evil of wasteful expence, a general spirit of discontent at length pervaded the nation. County meetings were held for the purpose of framing petitions to the House of Commons, and appointing committees of correspondence. This spirit of reformation strongly prevailed during the Christmas recess, and associations for the redress of grievances were formed in various parts of the kingdom. The county of York took the lead in these proceedings, and in the month of January, 1780, Sir George Saville presented to the House of Commons a petition signed by 8000 freeholders: about 40 other petitions were afterwards presented. The economical regulations which the French king had introduced into his household (preparatory to a more general introduction of the spirit of frugality into every department of the state) joined



to the exigencies of the times, had stirred up this disposition. It is not difficult to introduce a reformation of abuses into a state, when the executive power strenuously engages in the attempt, but nothing can be effectual to restrain profusion, when the lavish use of the public purse is made the most ready means of strengthening the hands of government. Some very able politicians have thought it a great defect in our constitution, that the whole of the public revenues should be managed by the officers of the crown, though those revenues no longer make any part of the estate of the crown. It was remarked by King William, that if he had a sufficient number of places to bestow, he should be able to gain the ascendancy over all parties. That enlarged ability to confer favours is now possessed; and in such a state of government, little hopes can be entertained of establishing a systematic frugality; the attempt was however highly meritorious, and the season most propitious, for the Parliament being now entered on its sixth session, the members of the House of Commons began to recollect from whence they derived their seats, and the voice of the people was thereby rendered potential. To bring back the constitution to its first principles, by introducing a salutary reform of abuses, was attempted by a member of the House of Commons, who, in a course of fourteen or fifteen years, had laboured most assiduously and ably, although too ineffectually, in the public service; for which entire surrender of his uncommon talents to the interests of the nation, he had not been gratified even with the honorary mark of general approbation. This coolness however no ways abated his zeal. "I was bound to serve Great Britain and Ireland," said he, upon a particular occasion, "to be pleased with my services was their affair, not mine." Mr. Burke, on the 11th of February, laid before the House of Commons, "a plan for the better security of the independence of Parliament, and the economical reformation

formation of the civil and other establishments." He stated the operations of his plan with respect to the first head, to be equal to the places held by fifty members of parliament, and to the latter, an income of two or three hundred thousand pounds a year was proposed to be saved, without any act of injustice to a single individual; besides establishing a system of œconomy, which, he observed, was itself a great revenue. He proposed that the principality of Wales and Duchy of Lancaster should be united to the crown, for the purpose of abolishing a number of useless offices: that the landed estates of the crown should be sold, and those possessions, unprofitable at present, being thereby thrown into the mass of private property, would come, through a course of circulation, and through the political secretions of the state, into our better understood, and better ordered revenues. He then proceeded to the civil list revenue, and proposed various reforms in the Royal household; among which were, that the offices of the Great Wardrobe, the Board of Works and of Green Cloth, should be abolished. That the business of the Mint should be undertaken by contract, upon proper securities, and under proper regulations, as on its present footing it was a great expence to the nation, chiefly for the sake of members of parliament. Under other governments, he said, a question of expence is merely a question of œconomy; with us, in every question of expence there is always a mixture of constitutional considerations. He meant to limit the sum granted in pensions to 60,000*l.* per annum, the whole amount of the pensions of all denominations, which had been laid before the House of Commons, amounted, for a period of seven years, to considerably more than 100,000*l.* a year\*. The office of Pay-master of the

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\* It appears by Necker's *Compte rendu au Roi*, that the finances of France were annually charged with near twenty-eight millions of livres

(1,226,531*l.*

Land-forces, or Treasurer of the Army, and the Treasurer of the Navy, he meant to make mere offices of administration, by transferring the Bank, from which the great and invidious profits of those offices arise, to the public. The great patent offices of the Exchequer he meant to reduce to fixed salaries, as the present lives and reversions should successively fall. The office of Secretary of State for the Colonies he proposed to abolish, as likewise the Board of Trade and Plantations, which latter establishment, he said, merely served to provide eight members of parliament with a thousand pounds a year each. He pointed out how necessary it was to review our military expences for some years past, and, if possible, to bind up and close that bleeding artery of profusion.

The House was greatly struck with the profound researches and acute discriminations, which appeared in every part of his grand and comprehensive plan for a national reform. The Minister declared, that he believed no other man in the kingdom could have investigated so complicated and difficult a subject with equal ability and success. Three days after this business had been opened, Colonel Barré proposed that a committee of accounts should be appointed, as a farther means of promoting the general plan of œconomy so necessary to the national security. This was also approved by the Minister and his friends: but such appearances of concurrence were not long preserved, for Lord North himself soon after brought in a bill which appointed a commission of accounts, composed of six commissioners, which should enquire into the past expenditure of the public

(1,226,531. sterling) in annuities, known under the name of pensions of various kinds and denominations. He adds, "I much question, whether all the Sovereigns in Europe put together, lay out in pensions more than one half of that sum."

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money, as well as into the current accounts; and consult, prepare, and report to the House what appeared to them to be a more easy and speedy mode of keeping those accounts, and settling them, so that their true state might, from time to time, as near as possible, be laid before the House when called for. The bill expressly prohibited the Commissioners from being members of the House of Commons.

On the 6th of April, when the county petitions were to be taken into consideration by the House of Commons, the business was opened by Mr. Dunning; and that the sentiments of Parliament might be consistent with those of the people, he moved two propositions, the first of which was, that the influence of the crown had increased, was increasing, and ought to be diminished. The second; that it is competent to this House to examine into and correct the abuses in the expenditure of the civil list revenues, as well as in every other branch of the public revenue, whenever it shall seem expedient to the wisdom of the House so to do. The first motion was carried 233 against 215; the second passed without a division. The Minister, on this occasion, was left in a minority, and the whole fabric of his power seemed to shake. Mr. Thomas Pitt then moved a resolution; that it is the opinion of this Committee, that it is the duty of this House, to provide as far as may be, an immediate and effectual redress of the abuses complained of in the petitions presented to this House, from the different counties, cities, and towns in this kingdom. It was carried in the affirmative without any apparent dissent. When the House was resumed, Mr. Fox moved, that the three resolutions should be immediately reported; which was agreed to, notwithstanding the strong opposition made by the minister. They were then read a first and second time, and agreed to, without a division.



vision. The Speaker being suddenly taken ill, the House was necessarily adjourned for some time, and when it was resumed, its temper was found to be much altered. No more popular resolutions were agreed to, and such as in the first transports of zeal had been made, were rendered inefficacious, by recourse being had to the parliamentary forms of civil dismissal. Members had done enough to save appearances with their constituents, and to have done more, would have been dangerous to the essential interests of individuals. All the component parts of Mr. Burke's scheme, were, in their turns, finally rejected, although many of them on their first appearance were approved by a majority. The abolishing of the Board of Trade was carried; but no sooner had government found time to rally its broken and discomfited forces, than the whole was lost. This state-physician had indeed attempted the radical cure of a disorder, at a time, when even palliatives could be with difficulty administered. But it had never been his practice to apply palliatives. Even the unsuccessful attempt, however, served to establish two points: viz. the actual existence of very great abuses; and that their removal could only be effected by the gracious propensities of the Sovereign to introduce a reform. In all the important concerns of the nation, for some years past, (and no period of its history have furnished a greater variety) Mr. Burke had rendered himself conspicuous as a patriot. When dissension and dissatisfaction were spread over the nation some few years before, he pointed out, in a forcible manner, the cause of the discontents which prevailed. He had laboured to stop the progress of depravity in the east\*, to avert the miseries which threatened the west; to obtain distributive justice for Ireland, and now, a reformation of abuses in England; every one of which attempts discovered the pro-

\* See p. 92.

found politician and real friend to his country, yet could he not escape the imputation of being the partisan of a party. To some he appeared dangerous, because he had declared himself no friend to triennial Parliaments, and to others unpleasing, because he discovered a stubborn and unaccommodating virtue†; whilst those who possessed a time-serving flexibility of mind, were inclined to exclaim, that such a man should be a patriot when public virtue is out of fashion! But neither narrowness, insensibility, fordidness, nor ingratitude, could withhold from him the inward satisfactions resulting from a public spirited conduct, and what they are have been described by a fine writer. "A life dedicated to the service of our country, admits the full use, and no life should admit the abuse of pleasures; the least are consistent with a constant discharge of our public duty, the greatest arise from it. Neither Montaigne, in writing his *Essays*, nor Des Cartes, in building new worlds, nor Burnet in framing an antediluvian earth; no, nor Newton, in discovering and establishing the true laws of nature on experiment and a sublime geometry, felt more intellectual joys than he feels, who is a real patriot; who bends all the force of his understanding, and directs all his thoughts and actions to the good of his country."

† The late Dr. Goldsmith, whom Mr. Burke honoured with his friendship, in a sportive vein of humour, drew a character of his friend, which concludes thus:—

Who too deep for his hearers, still went on refining,  
 And thought of convincing while they thought of dining.  
 Though equal to all things, for all things unfit;  
 Too nice for a statesman, too proud for a wit;  
 For a patriot too cool; for a drudge disobedient;  
 And too fond of the right to pursue the expedient.  
 In short, 'twas his fate, unemploy'd, or in place, Sir,  
 To eat mutton cold, and cut blocks with a razor.

C c

Whilst

Whilst the reformation of abuses in the state was so earnestly sought by all ranks of people throughout the kingdom, that some described the nation as having run mad about public virtue, as being actuated by an innovating spirit which formed notions of ideal perfection; as cherishing causeless discontents which inflamed to turbulence and dissention; an unlooked for source of civil commotion produced the most alarming effects. The partial relief which had been rendered to the subjects of England who adhered to the Romish faith, had given no sort of offence to the nation; in Ireland, the principle had been adopted with great success, and no disgusts were testified by any class of the people. These appearances induced some leading men in Scotland to promise to use their interest in Parliament, for the purpose of extending the relief to that country; but the design was no sooner named, than a few impetuous zealots, who were utterly unacquainted with the nature of the relief which was meant to be obtained, became alarmed at the danger to which they thought the Protestant church was exposed, and made use of every method which a blind enthusiasm suggested, to inflame the people to the most violent resentments. Every active principle was employed in this cause, whilst no effectual means were used to counteract these designs, by representing to the people at large, how groundless their apprehensions were, and that nothing more was meant to be done than to repeal an unjust law, which, by a strange concurrence of circumstances, had become a law contrary to the intentions even of its first framers, and that a great number of penal statutes against Roman Catholics, would still remain in full force. It is highly becoming the leading and enlightened part of mankind, to make use of every means which argument, intermixed with good-humoured pleasantry, can supply, to remove any false notions which are likely to prevail to the  
disturb-

disturbance of the public tranquillity : and of all mistakes, those which arise from a conscientious attachment to religious principles, deserve the most assiduous endeavours to be used in correcting and confuting. The outrages which were committed in Edinburgh and Glasgow, early in the year 1779, on the houses and property of the Roman Catholics, in consequence of the popular resentments having been excited against them, by a variety of inflammatory pamphlets, which had been industriously circulated, would never have happened, if any portion of zeal had operated to the producing, and spreading widely, of well-written tracts, to disprove the assertions which had been so roundly and falsely made. But the weapons of reason are less frequently resorted to, for the purpose of suppressing a popular infatuation, than those forcible weapons with which the state is armed, and the progression of discontent is seldom attended to, until the consequences of its maturity are felt.

From Scotland, this spirit of bitter enmity against the Catholics passed into England, and caused a society to be formed under the title of "The Protestant Association," which was composed of well-meaning but uninformed people, whose fears were excited, because they considered the principles of popery as increasing to an alarming pitch in this country, and that the design of the legislature was to patronise that religion. The aversion which British Protestants discover to Roman Catholics, is uncommonly inveterate ; it seems almost to have survived their religious principles. The Dutch, although they revolted from Spain, because they were cruelly persecuted as Protestants, yet were so far from bearing an implacable enmity to the Romanists, that they allowed a general toleration ; and the Roman Catholics to this day, are conspicuous in those states, both for the largeness of their numbers and the



peaceableness of their demeanor. The Swiss Cantons know no dissensions, because some are of the Romish persuasion and others Calvinistical Protestants. But the attempts which have been made in England, since the Reformation was introduced into it, to render the religion of the Church of Rome the national religion, and to exterminate or depress the reformed church, had established an hereditary antipathy which is not yet extinct, insomuch that the peaceable conduct of this body of men for eighty or ninety years, has not been sufficient to expiate the misdeeds of a former race. It therefore became the indispensable duty of every man of influence to oppose to this popular prejudice the force of truth; but whilst a general supineness prevailed concerning the principles and conduct of this society, it increased in numbers and in zeal, under the influence of a president, whose violent and daring spirit qualified him for creating and leading a faction. This young nobleman is descended from one of the most ancient and honourable families in Scotland, so that he might lay claim to popularity as a birth-right, whilst a peculiar cast of character, which marked his whole deportment, drew the public attention; his singularities passed for marks of genius, and his dress and appearance, which seemed to have been copied from the age of puritanism, impressed the superficial multitude with a notion of the sanctity of his manners; although under this disguise, his private life was not conspicuous for a corresponding austerity\*. Through the influence of this reformer, a petition to the House of Commons was drawn

\* Mr. Wilkes very aptly applied to this zealot, a trait of the character given of Fleetwood Shepherd, in a Latin epitaph:—"Nulla meretrix displicuit præter Babylonicam." See the Epitaph in the Gentleman's Magazine for 1778.

up, in the name of the society, praying the repeal of the act for the relief of Roman Catholics, which was signed by vast numbers; to attend the delivery of which, all true Protestants were invited by hand-bills and advertisements in the news-papers, to assemble in St. George's Fields, and to distinguish themselves by wearing blue cockades in their hats; their champion, who was a member of the House, having declared that he would not deliver their petition, unless he was attended by twenty thousand men, and a number not short of that were actually got together. Although it was not the intention of government to grant the prayer of the petition, yet it either did not apprehend, or did not choose to provide against, any consequences which might arise from the assembling of such a concourse of people. The behaviour of Lord George Gordon, the popular leader of this multitude, which now beset the House of Commons, and occupied every avenue to its entrance, tended greatly to exasperate and inflame his followers. Many of the Lords received personal affronts and injuries in their way to the House of Peers, and in the evening, the Romish chapels belonging to the Sardinian and Bavarian Ambassadors, were demolished and set on fire, although no proper objects of their resentment, because the obnoxious act of parliament no ways affected them. The bounds of law and order being thus broken down, the dwelling-houses of the Roman Catholics in different parts of the town were dismantled, the furniture piled up in the street and burnt, whilst the dwellings were set on fire. The civil power was unable to prevent these outrages, and the few military which could be drawn out, acting under the command of the magistrates, were not effectually employed to suppress them. A wealthy and luxurious metropolis must harbour a number of desperate wretches, who are only awed by the scourge of the law which is held over them:

such would not fail to avail themselves of the suspension of legal authority, to commit the most atrocious crimes. These being now collected, levelled their attacks against the places which they had most reason to dread, and the different jails were forced open, the prisoners set at liberty, and every thing consumed which was susceptible of the action of fire. The dwelling-houses of several Justices of Peace suffered the same fate, and as all authority and control was borne down, no limits could be set to the devastations which might follow. The destruction of the Bank of England was openly threatened, and the fate of the empire seemed to depend upon the torches of a ruthless banditti. At length, however, that vengeance which had so long lingered, overtook them: large bodies of troops had arrived, and on the night of the 7th of June, the dreadful expedient of military execution was resorted to, as the only means of saving the capital from destruction. The horrors of that night are not to be described: between four and five hundred persons were killed or wounded; and though notices were delivered at every house, cautioning the inhabitants not to quit their dwellings, yet many innocent and respectable people suffered from random bullets in passing the streets.

Soon after the suppression of these tumults, Lord George Gordon was taken into custody, examined before several lords of the privy council, and committed to the Tower\*.

This state of anarchy suspended the sitting of parliament until the 19th of June, and the next day resolutions were agreed to, which tended to explain the nature of the

\* He was tried in the court of King's-Bench, Westminster-hall, on the 5th of February, 1781, on an indictment for High Treason, in levying war against the King, and found by the Jury, not guilty.

act of parliament, the attempt to procure the repeal of which had eventually caused so much terror to the people, and brought the whole kingdom into such imminent peril. It is much to be lamented, that no such method for removing the apprehensions of the well-meaning, but ill-informed, had been taken sooner. An end was put to the session on the 8th day of July.

A general torpor succeeded this violent concussion: the nation was no longer inspired with the desire of obtaining redress of the grievances which it saw and felt. In consequence of the tumults in London, the whole kingdom was put under the discretion of a military force; the power of the crown therefore gained such an ascendancy, that the spirit of liberty gradually melted away, insomuch that the county associations were some time after described, by a member of the House of Commons\*, as no better than a rope of sand. Every thing seemed tending to what Mr. Hume calls the easiest death, the true *Euthanasia* of the British constitution, absolute monarchy.

The supplies for the service of the year 1780 amounted to 21,196,496½. The number of seamen employed was eighty-

\* Mr. Rigby.

† N A V Y.

85,000 seamen, including 18,779 marines	-	4,420,000
Ordinary of the navy	-	385,381
Building, rebuilding, and repairing of ships	-	697,903
Towards discharging the navy-debt	-	1,500,000

7,003,284

A R M Y.

35,500 effective men, including 4,213 invalids, staff and reduced officers, and allowance to private gentlemen	-	1,074,565
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C c 4

New



eighty-five thousand, including marines, and thirty-five thousand British troops, including invalids. No more than a million and half of the navy-debt was discharged, although

New levies for 1780	-	-	258,207
Charges on new levies from their commencement to the end of 1779	-	-	30,297
Corps of Lieut. Col. Fullerton and Humberstone, 8,623l. each; Major-General Rainford's regiment, 12,929l. additional pay to Lieut. Col. Holroyd's	-	-	33,356
Out-pensioners of Chelsea Hospital	-	-	87,718
Maintaining forces and garrisons	-	-	1,418,059
Five Hanoverian regiments of foot, at Gibraltar and Minorca	-	-	56,228
			<hr/>
			2,958,430
Militia in England, and fencible men in Scotland, cloathing, additional companies, and deficiencies in 1779	-	-	771,233
Foreign troops serving in America, with the subsidies	-	-	571,487
Provisions for ditto	-	-	48,801
Artillery for ditto	-	-	27,741
			<hr/>
			648,019
Unprovided ordnance for 1779	-	-	591,466
— ordnance for 1780	-	-	458,136
			<hr/>
			1,049,602
Extraordinaries of the army	-	-	2,418,805

#### MISCELLANEOUS SERVICES.

To William Smith, M. D. for nearly four years attendance upon sick and diseased prisoners, and furnishing medicines	-	-	1,200
To the Levant company	-	-	10,000
Roads and bridges in the Highlands of Scotland	-	-	6,997
To the Trustees of the British Museum	-	-	3,500
			<hr/>
			Sums

that pernicious use of credit had caused a vast sum to be engaged for; the extraordinary expences of the army amounted to 2,418,805*l*. The new taxes which had been levied the two preceding years, to pay the interest upon the money borrowed, were found to have produced in a very inadequate degree, to the payment of the sums for which they were appropriated; recourse was therefore had to that collateral security, the sinking fund, to make good this failure. Indeed, new taxes constantly prove deficient the first year, even if they are found to be as productive as the minister had estimated them to be, because the loan bears interest from the beginning of January, and the taxes do not commence till midsummer.

Sums issued in pursuance of addresses from the

Commons to his Majesty	-	15,700
Confining, maintaining, and employing convicts on the Thames	-	14,348
To American refugees	-	57,910
General surveys in North America	-	1,832
Civil establishments in the island of St. John's; the Colonies of Nova Scotia, Georgia, East and West Florida	-	18,662
Forts and settlements on the coasts of Africa	-	13,000
Towards carrying on the buildings at Somerset House	-	25,000
		<hr/>

108,149

The vote of credit, Exchequer bills, and prizes in Lottery of last year discharged

4,890,000

#### D E F I C I E N C I E S.

In the fund for 1758	-	37,371
for 1778	-	499,892
In grants for 1779	-	300,687
Land, 250,000 <i>l</i> . malt, 200,000 <i>l</i> .	-	450,000
		<hr/>

1,287,952

To provide for these expences, besides the usual resources of land and malt, Exchequer-bills were renewed to the same amount as the former year, the sinking fund was to provide two millions and a half; twelve millions were borrowed upon annuities, and 480,000*l.* raised by a Lottery\*. The annuity to bear four per cent. interest, and a farther annuity of 1*l.* 16*s.* 3*d.* for every 100*l.* for the term of eight years; the subscribers to be entitled to four Lottery tickets for every 1000*l.* subscribed, on payment of 10*l.* for each ticket. The whole produce of the Lottery was to be distributed into prizes. The annual interest upon the loan amounted to 696,150*l.* which was provided for by additional duties of six-pence per bushel upon malt; one penny per gallon on low wines; three-pence upon spirits; one shilling upon brandy and rum; four pounds per ton upon Portugal wines; and eight pounds per ton upon French wines. A duty of four shillings was laid upon coals exported per Newcastle chaldron. An additional duty upon salt of one shilling and ten-pence per bushel. A stamp duty upon the receipt of legacies, proportionable to the amount, as far as 100*l.* and upwards. Dealers in tea, coffee and chocolate, were required to pay five shillings annually for a licence to carry on their trade; an additional duty of six-pence was

\* W A Y S   A N D   M E A N S.

Land	-	-	-	-	2,000,000
Malt	-	-	-	-	705,000
Annuities and Lottery	-	-	-	-	12,480,000
Sinking fund to 5th of April	-	-	-	650,458	} 2,500,000
Growing produce of ditto	-	-	-	1,849,542	
Exchequer bills	-	-	-	-	3,400,000
Various duties, savings and surplusses	-	-	-	-	198,948
Reserved sums in the hands of the pay-master of the forces	-	-	-	-	48,300
Grant in the 5th of the present reign for building a Lazaret	-	-	-	-	5,000
[The Ways and Means were calculated to yield 21,382,249 <i>l.</i> but the given total exceeds the detail by 45,000 <i>l.</i> ]					

also

also laid on all advertisements in news-papers: This last impost affected an article from whence government drew an amazing revenue, and which yielded no proportional income to the subject\*.

A vote of credit for a million was passed in addition to these supplies.

The scenes of confusion and devastation which we have just now described, fatally indicated the depravity of the lower classes of the people, and shewed that their propensities were rather to subvert than to reform; turning from these, let us pursue the operations of the war. The growing maritime greatness of France created no jealousy in the other kingdoms of Europe; and as the northern powers derived great advantages, by furnishing the materials for this rising navy, which it was so much the interest of Great Britain to prevent being con-

\* The author has been convinced by the calculation of a very intelligent printer, and the fact is demonstrable in a moment, that government do not draw a less revenue from one particular morning paper, by the duties upon advertisements and stamps, than fourteen thousand pounds per annum, and upwards, a sum, of which the profit which the concern yields to the proprietors, is not a tithe part. But even this is not the whole revenue, for there is likewise a heavy duty paid upon paper. There are many country news papers which are published only once a week, and carried on by country printers, merely on account of the advantages which they derive by printing them, as they spread their names through the districts where they dwell, and procure them thereby orders in their different branches of business, but yield them no profit as proprietors; on the contrary, are rather attended with loss, which is frequently the case; even a concern so unimportant as one of these papers to the party who conducts it, pays a revenue to government of at least three hundred pounds per annum, exclusive of the duty upon paper! So astonishing are the receipts at the Exchequer arising from that rage for news paper reading which prevails in all ranks and conditions!

vveyed



veyed into her enemy's ports, a confederacy was entered into by Russia, Denmark, and Sweden, by which they agreed to fit out ships of force, to protect their merchantmen, in carrying such kind of freight, as had generally been considered contraband by belligerent powers. This alliance was first proposed by the Empress of Russia, and received that specific form in which it afterwards appeared, in consequence of the suggestions thrown out by the court of Stockholm. The Russian power at sea had acquired all its consequence, from the assistance which it had received from the superintendence of an English Admiral, and the exertions of English artificers and officers; but present interest among princes, is never sacrificed to a remembrance of former obligations. The conduct of France had of late been highly pleasing to the court of Petersburg: through the mediation of that kingdom, an impending war between Russia and the Porte had been averted.

The armed neutrality could not fail of being agreeable to France and Spain; and in the answer given to the declaration of the Empress, each court expressed its approbation, whilst Great Britain, in her answer, professed to adhere to the law of nations, and the tenour of the engagements stipulated in a subsisting treaty of commerce. The Dutch, who enjoyed the greatest share of this carrying trade not having acceded to the confederacy, were more narrowly watched by the British ships, and were not permitted to transport any articles of naval stores to the ports of France and Spain. Such ships, whenever they were met, were carried into an English port, their cargoes unloaded, and the price of them paid by government, after which the ship was permitted to depart. Much artifice and collusion was practised in many of these transactions; for the cargoes, being frequently brought to a better market, they may

may be supposed not seldom to have been shipped for the purpose of being taken. The republic of Holland loudly complained of this conduct, as a breach of the law of nations, particularly when the greatest part of a large fleet was brought into Portsmouth by Captain Fielding, a powerful squadron being assigned him for that purpose, but no real injury was at any time sustained.

In the month of January, 1780, a fleet, consisting of 21 ships of the line, under the command of Sir George Rodney, proceeded to the relief of Gibraltar. This fortunate commander had not been many days at sea, before he fell in with 15 sail of Spanish ships, laden with naval stores and provisions, from St. Sebastian, (the most north eastern port of Spain, in the Bay of Biscay) bound to Cadiz, which were escorted by a Spanish man of war of 64 guns, and five frigates, all of which were taken. Eight days after \*, upon doubling Cape St. Vincent, a Spanish fleet, consisting of 11 sail of the line, under the command of Don Juan de Langara was descried, which he immediately bore down upon, keeping nearer to the shore than the enemy, to prevent their escaping into any port; which by the direction in which the wind then blew, was, in the marine phrase, keeping the lee-gage. The engagement began about four o'clock in the afternoon, and after it had continued near 40 minutes, one of the Spanish ships of 70 guns blew up, and 600 men, who were on board her, perished. Soon after which the battle was changed to a flight on the part of the Spaniards. During the night, which immediately came on, the British ships pursued the enemy through a great sea, the weather proving tempestuous, and the next morning the fleet had approached

\* January 16, 1780.

towards

towards the shoals of St. Lucar. Four Spanish men of war were carried into Gibraltar, among which was the Admiral's ship: two other ships were taken, but being afterwards driven on shore, the one was lost, and the other rescued. This signal success was obtained with the loss of only 32 men killed, and 102 wounded. The vanquished fleet consisted of 14 sail, but three ships had been separated from the rest just before the engagement. The scene of this memorable action was the very same as that on which Boscawen effected the destruction of De la Clue's squadron in the last war, only the pursuit was made in opposite directions. Boscawen completed his triumph on the coast where Rodney began.

Gibraltar being now furnished with the necessary supplies, the garrison reinforced with a new raised regiment, and some vessels despatched to Port Mahon, Sir George Rodney sailed for the West Indies with a part of the fleet; the rest, with the Spanish prizes, returned to England, under the command of Admiral Digby, who, in his way, captured a French man of war, of 64 guns, which was one of a convoy to a fleet of transports destined for the island of Mauritius.

The death of Sir Charles Hardy, which happened in May 1780, caused the fleet for the channel service to be put under the command of Admiral Geary, who sailed to the westward the beginning of June; but as no junction was formed of the French and Spanish fleets, no enemy appeared to dispute the sovereignty of the ocean. In July he fell in with a large homeward bound fleet of French merchantmen from Port-au-Prince, and captured twelve sail of them; but returning into port a month after, he  
quitted

quitted the command, and was succeeded by Admiral Darby.

Commodore Johnstone, with a small Squadron of ships, was stationed this summer off the coast of Portugal, where several French ships of force, and some rich Spanish vessels were captured. This gentleman had greatly distinguished himself in the House of Commons, and was no less conspicuous as one of the commissioners, who went out to offer terms of peace to America; as a naval commander he shewed great vigilance and address.

Hitherto the foreign events which had turned up in the course of the year had proved remarkably fortunate for the interest of this country; insomuch as to have rescued it from that danger of immediate ruin which seemed to threaten it; but in abatement of this tide of success, the Spanish fleet, commanded by Don Louis de Cordova, took five of our East-India ships outward bound, and a considerable number of merchantmen, on their voyage to the West-Indies. However, the consequences attending this loss, were by no means so severely felt by the nation, as the capture of an equal number of ships, homeward-bound, would have been; for being principally freighted with the manufactures of the country, it served to furnish additional employment for the laborious part of the community, at the expence of the wealthy.

The conduct which had been pursued by Spain in the West-Indies, plainly proves the long-concerted plan which had been formed of breaking with Great-Britain; for war was declared at Porto Rico, a few days after the delivery of the rescript in London. Such a conduct, a Spanish Manifesto, had warmly reprobated on the part of Great-Britain



Britain towards France in the East-Indies, and the same paper had predicted, that similar proceedings had been secretly determined upon against the possessions of Spain at the Manillas, but in these apprehensions time has proved the court of Spain to have been mistaken.

The principal object with the Spaniards, was, to recover the Floridas; but whilst a force was collecting for this purpose by Don Bernardo de Galvez, the Spanish Governor of Louisiana, a small force was sent from Jamaica, against Omoa, a Spanish settlement on the Musquito shore, which was soon taken, to the great annoyance of the enemy; but the unhealthiness of the place caused it to become the grave of the brave men who subdued it. Admiral Hyde Parker, on the Leeward island station, took and destroyed a large number of vessels on the coast of Martinico, which had sailed from France for the supply of that island. Several French frigates were likewise taken. Admiral Rodney thrice engaged the French fleet in the West-Indies, commanded by M. de Guichen\*, without any decisive consequences; although the palm of victory was justly claimed by the English Admiral, notwithstanding his force was considerably inferior, and in the first action, he was badly seconded by many ships in his fleet. The Hon. Capt. St. John, of the *Intrepid*, and three of his Lieutenants, were killed. The dreadful hurricanes which spread desolation over many parts of the West-India islands some time after, proved fatal to the ships of both nations in those seas.

The operations of this campaign in America were carried on to the southward by Sir Henry Clinton in person, who, in order to provide a sufficient force for an expedition against Charlestown, found it necessary to evacuate

\* April 17, May 15 and 19, 1780.

Rhode Island, although a possession of great importance on account of its valuable haven; a voluntary surrender of it, therefore, furnished a melancholy proof of the disparity of the force employed in this war to the objects fought. The French immediately took possession of a place which they had in vain attempted to subdue. Charlestown surrendered on the 13th of May, 1780, soon after which Sir Henry Clinton returned to New York, and Earl Cornwallis became Commander in Chief in South Carolina, who three months after, found himself likely to be dispossessed of the whole province, the capital excepted, by General Gates, the conqueror of Burgoyne, who commanded a considerable army of Americans. In this extremity the British General engaged and defeated an enemy almost five times his numbers at Camden; but even this noble achievement was not sufficient to conciliate the minds of the inhabitants of that province to the cause for which he fought: their will remained unsubdued, and upon every occasion which offered, this inveteracy appeared in hostile acts. During the whole of the campaign, Lieutenant Colonel Tarleton highly distinguished himself in a variety of rencounters.

Many were the actions at sea between the ships of England and France, in which the superiority of British seamanship and courage appeared uniformly and conspicuously; which, whilst it seemed to warrant the claim of these islands to the sovereignty of the ocean, served to encourage the hope that the present sharp and doubtful contest would issue in the full establishment of that claim.

## C H A P. V.

*Rupture with the United States—Proceedings in Parliament—  
Operations at Sea—In the West-Indies—On the American  
Continent.*

THE nation was now greatly relieved from those portents, which had affected not only its welfare, but its very being. The menaced invasion from France was no longer thought of, nor is it likely that it was ever seriously intended. The people were again at leisure to attend to the conduct which parliament would pursue when it should be assembled. It was for the legislative body to decide in the contest between government and the people, and the interests of the latter were likely to be regarded by a House of Commons, which was in the immediate view of resigning its delegated functions. As it was not the intention of government to gratify the people, it became necessary to provide the means of defeating their applications, for which purpose the parliament was suddenly dissolved, and a new one summoned to meet on the 31st of October, 1780.

The terms on which this country stood with the Dutch had long been latently inimical. The restraints which their carrying trade had been laid under in the last war, at which they murmured, but which they dared not resent, had not been carried to the same severities in the present state of hostilities. The partiality which that republic, particularly the province of Amsterdam, shewed to the interests of France as well as to those of America, were seen with great dissatisfaction by the court of London.

Many

Many attempts had been made by American agents to negotiate a loan in Holland, which had not proved successful, but the outlines of a commercial treaty had been secretly adjusted in September 1778, at Aix la Chapelle, by the orders and instructions of M. Van Berkel, counsellor and pensionary of the city of Amsterdam, with a commissioner on the part of the Congress. The assistance which the Dutch might be brought to render to America, either in an open or private manner, if a respectable personage, properly empowered by Congress, should reside at Amsterdam, induced Mr. Laurens, the President of that Congress, to undertake to transact the concerns of America with that republic; but on his voyage, the ship in which he sailed was captured by an English frigate, and the American President being brought to London, was committed to the Tower. All his papers, which he had committed to the sea as soon as his fate was ascertained, happening to be recovered, were exposed to the inspection of the British cabinet. The discoveries which they made, determined the court of London no longer to keep any terms with the United States, and on the 20th of December, 1780, a royal manifesto was published which amounted to a declaration of war, and letters of marque and reprisal were soon after issued. This conduct certainly implied, that the open enmity of the Dutch was less to be dreaded than their occult disservices. Farther, by this declaration of hostilities, the republic was rendered incapable of acceding to the armed neutrality, by which the northern powers would have become in a manner guarantees for its protection and security. For a kingdom already overwhelmed with foes, to denounce war against another state, appeared to be a measure so singularly bold and big with danger, that it could only be justified by the plea of state-necessity which had been urged on a variety of occasions,



cations, and implicitly admitted. To qualify this measure it must be observed, that such a radical defect had long prevailed in the government and genius of the Dutch, that the maritime force possessed by that republic seems to have sunk in a like proportion to the advancement of the strength of this country. A well informed politician \*, several years ago, pronounced the Dutch commonwealth to be “ in a state of dissolution ; and not to have, either without or within herself, those means of recovery, by conjunctures and by character, that she has had on several occasions, from the time her government was first formed.”

When the new Parliament assembled, after the Christmas recess, Mr. Burke attempted again to introduce his plan of œconomy, but with worse success than the preceding session. In the course of his speech upon this occasion, he asserted, that the King of France had abolished 606 useless offices, by which reduction he had provided himself with the means for carrying on the war, without laying a single additional tax upon the people.

The French minister of finance had delivered to the King his master, about that time, an ample detail of the reformations he had introduced, and pointed out a variety of means by which the state might be essentially benefited in future. It was a new thing in France, for a full, clear, and explicit state of the finances to be laid before the people, and it may astonish an Englishman to hear the French minister declare, “ that the public Bank of France has never been in advance on account of government ; but the royal treasury has constantly a capital in bank of some millions (of livres). This bank, therefore, has not been of any direct utility to the royal treasury, and the interest of government in the success of its establishment, has been no other

\* Lord Bolingbroke.

than the prosperity of commerce, the moderating the interest of money, and giving a greater activity to circulation."— Such probably will never be the state of affairs in this country. The Exchequer is never likely to become "the great spring of public credit, and the great scene of all transactions relative to public receipts and payments." The monied interest commands even government itself; the public, like an extravagant spendthrift, being obliged to deal with usurers on their own terms, although the landed men are the true owners of the political vessel, the monied men, as such, are no more than passengers in it.

Sir George Saville presented a petition, signed by thirty-two freeholders of the confederated counties, known by the name of Delegates, which was rejected, on the ground that a petition signed by thirty-two persons on such a national concern, carried no apparent weight or importance, and the idea of those gentlemen being delegated by several counties in England, could not be admitted, because the constitution knows no such body of men as county delegates, except those within the walls of the House of Commons.— So different is the language used at the commencement and towards the close of a Parliament!

In this struggle between government and the people, it may be remarked, that the principles on which the party distinctions of Whig and Tory had been founded, seem to have been lost, and those who still choose to be known by such names, had apparently changed sides; for, if, as a learned Metropolitan observed in the House of Lords, the conduct of the Whigs was not whigism, but whigism run mad, a like phrensy may be said to have seized the Tories. The principles of toryism ninety years ago, and from thence down to the present reign, were utterly repugnant to a corrupt influence of the Crown in the two Houses of Par-

liament. If it be said, that the body of the Whigs are now as clamorous against the power of Parliament, as they were formerly against the power of the crown, and that the Tories are as yielding to the increase of influence which the crown has acquired, as they were formerly to the claims of prerogative, it may be answered, that still the political principles to which each are attached, are very different from those which divided their forefathers. The Whigs, when they supported the power of Parliament, meant to form a barrier against the encroachments of regal power, and every Tory will surely admit, that the influence of the crown is very different from the power of the crown. The distinguishing characteristics of each party, are, at length, lost in the changes incidental to human affairs, and one grand and important national object now ought to engage the public attention. It is indeed high time that all party names should be done away; they serve only to narrow and degrade the sentiments and views of mankind, and the times render it necessary that new distinctions should take place, not as badges of petulance and ill-will, or of such a nature as that the virtuous, the good, and the wise, may arrange themselves under either, as education, prejudices, and family attachments influence them, but such distinctions as must in their very nature discriminate between the lover of his country, and the betrayer of it. The nation, at this time, ought to be divided into those who claim from their representatives, and from the legislation in general, a provident expenditure of the public money, and a sincere, strenuous and judicious attention to introduce an universal system of œconomy, and those self-interested and rapacious harpies, who become important by the spoils of their country.

The public service of the year 1781 called for  
22,458,337<sup>1</sup>/<sub>2</sub>

22,458,337l.\* to provide for which, besides the ordinary means,

	* N	A	V	Y.
90,000 seamen, including 20,317 marines	-	4,680,000		
Ordinary of the navy	-	380,261		
Building, rebuilding, and repairing ships	-	670,016		
Towards discharging the navy debt	-	1,500,000		
				7,236,277

	A	R	M	Y.
30,666, including 4213 invalids, staff and reduced officers, allowance to private gentlemen	-	1,172,357		
Charge of 80 independent companies of foot	-	117,603		
Deficiency on the sums to defray the pay of two battalions of Lord John Murray's regiment for 1780	-	1,108		
Out-pensioners of Chelsea-hospital	-	91,604		
Maintaining forces and garrisons, &c.	-	1,488,927		
Five Hanoverian battalions	-	56,075		

Militia in England, and fencible men in Scotland, cloathing, and additional companies and deficiencies in 1780	-	786,600		
Foreign troops serving in America	-	581,985		
Provisions for ditto	-	49,373		
Artillery for ditto	-	27,684		

Unprovided ordnance for 1780	-	447,181		
Ordnance for 1781	-	835,929		
Extraordinaries of the army	-	3,443,218		
				659,042
				1,282,211

#### MISCELLANEOUS SERVICES.

To William Smith, M. D. for attending prisoners and furnishing medicines	-	1,200		
To the Levant company	-	800		
Roads and bridges in Scotland	-	4,995		
				Sum



means, and some extraordinary helps derived from the two great companies of the East India Merchants and Bank of England, twelve millions were borrowed; and in this transaction the minister adopted a new plan of conduct: in order to lessen the immediate weight of interest he

Sums issued in pursuance of addresses from the

Commons to his Majesty - - - 22,222

Convicts on the Thames - - - 15,488

American refugees - - - 57,910

General surveys in North America - - - 207

Civil establishments in America - - - 19,985

Forts and settlements on the coasts of Africa - 13,000

Towards carrying on the building of Somerset-house - - - 36,207

To the sufferers at Barbadoes, 80,000l. at Jamaica, 40,000l. - - - 120,000

To purchase lands for securing the dock-yards and stores at Chatham, Plymouth, and Sheerness, and for the better defending the passage of the river Thames at Gravesend and Tilbury fort - - - 34,273

To rebuilding Newgate, the King's-bench and Fleet prisons - - - 35,000

To such sufferers by the riots in June 1780, who lost to the value of 100l. or less - 3,200

245,687

The vote of credit, Exchequer-bills, and prizes in Lottery of last year discharge -

4,880,000

#### D E F I C I E N C I E S.

In the fund for 1758 - - - 31,000

Ditto 1778 - - - 191,664

Ditto 1779 - - - 193,663

Deficiency of grants for 1780 - - - 8,551

Land-tax and malt - - - 422,745

1,097,623

WAYS

he added a vast load to the funded debt. It seemed as if the continuance of the war served only to increase the ability of the nation to maintain it; two years before, eight millions could not be procured, now offers were made of three times the sums wanted. The subscribers to this loan for every hundred pound contributed obtained 150*l.* in annuities, after the rate of 3 *per cent. per annum*, and an additional annuity of 25*l.* at 4 *per cent. per annum*, which rate of interest was to be continued until the annuity should be redeemed; so that this year added 18 millions to the 3 *per cent.* stocks, and 3 millions to the 4 *per cent.* which new created funds, for the service of a single year, greatly exceeded the sum which the minister, nine years before, had flattered the nation with the hopes of paying off in the course of ten years \*. 480,000*l.* were raised by a lottery, the tickets in which were distributed among the subscribers, in the proportion of four tickets for every thousand pound subscribed.

## W A Y S   A N D   M E A N S .

Land	-	-	-	-	-	2,000,000
Malt	-	-	-	-	-	750,000
Annuities and Lottery	-	-	-	-	-	12,480,000
Sinking fund to Jan. 5, 1781	-	-	-	-	288,347	
Ditto to the 5th of April	-	-	-	-	757,087	
Growing produce of ditto	-	-	-	-	1,854,566	
<hr/>						
Exchequer bills	-	-	-	-	-	2,900,000
Various duties, surplusses and savings	-	-	-	-	-	3,400,000
Arrears from the East-India Company	-	-	-	-	-	262,917
	-	-	-	-	-	400,000
The Governor and Company of the Bank of England, for a renewal of their charter, lent for three years, at 3 <i>per cent. per annum</i>	-	-	-	-	-	2,000,000

\* See page 75.

Besides

The interest upon this loan amounted to 660,000*l*. The facility with which a provision was made for raising this heavy annual demand is really astonishing. An additional 5 *per cent.* was laid upon all duties paid to the excise, except on the produce of the duties on malt, beer, soap, candles and leather. All discounts or abatements in the customs were abolished. The time allowed to the East India Company, for the payment of the duties upon the merchandize sold at their sales, was reduced from nine to three months from the termination of each sale. An additional duty of one penny three farthings per pound weight was laid upon tobacco imported, and four shillings and eight-pence per hundred weight upon all sugars imported into Great Britain. Several regulations were made in the duty upon paper, and an additional stamp was laid upon sheet Almanacks; from the produce of which stamp duty 500*l*. per annum was granted to the Universities of Oxford and Cambridge, in lieu of a sum formerly paid to them by the Stationer's Company for the privilege of printing Almanacks. The sinking fund now received an annual augmentation of 190,000*l*. which accrued to it by some of the 4 *per cent.* funds being reduced to 3 *per cent.* (agreeable to the terms on which the debt had been contracted) and the falling in of some life annuities. Lord North stated the produce of that fund, with this increase, to have risen to upwards of three millions. The sums which were expected to be brought into the Exchequer, in consequence of the scrutiny made by the Commissioners of Accounts (nothing had yet been produced to the public by these enquiries) Lord North proposed to apply to the reduction of the navy debt, which had grown to an enormous magnitude. A vote of credit for a million completed the business

ness of finance. The session was not ended until the 18th of July.

The sudden and unexpected commencement of hostilities against the Dutch caused their valuable commerce to become a prey to British ships, and a large number of their seamen to be detained captives in England. In the West Indies, the island of St. Eustatius, which, during the war, had been a most beneficial mart of traffic, both for the French and Americans, was reduced by Sir George Rodney and General Vaughan. The island, although highly important to the Dutch in a commercial view, is no more than a barren rock, incapable of providing defence or subsistence for its inhabitants. The city of Amsterdam was chiefly concerned in this trade, but many English merchants were also largely embarked in it, as well as in the carrying trade. Our whole force in the West Indies was brought against this spot, so that the governor, unable to make any defence, surrendered at discretion. The British commander dealt the full measure of punishment to all upon the island with an implacable severity: private property was seized without mercy, and the vindictive spirit which dictated the orders and their execution, scarcely left the miserable residents, particularly the Jews, the means of subsistence; they were deprived of their very provisions. A Dutch fleet of merchant ships consisting of 30 vessels, and a 64 gun ship which convoyed them, and had just sailed, were pursued, and the whole taken; but the greatest part of the merchant ships were afterwards captured by the French, near the coast of Ireland, on their voyage to England. The island of St. Martin, and the settlements of Demarary and Essequibo, on the continent of South America, were soon after reduced.

Thus



Thus was one great object in breaking with Holland accomplished : another was to prevent their trade to the Baltic, to effect which, Vice Admiral Hyde Parker was sent out with five line of battle ships, one of fifty guns, and five large frigates to intercept a Dutch fleet, which he met with off the Dogger Bank, consisting of eight two decked line of battle ships, and several large frigates ; these were convoy to a fleet of merchantmen going to the northward. With the true spirit of a British seamen, he engaged the enemy, although so much superior in numbers. The battle was obstinate ; and proved that the Dutch had not lost that firmness in time of action, which had been so conspicuous in the contests between the two powers in the last century. The engagement was maintained for almost four hours, when the ships of each squadron becoming unmanageable, they lay to for a considerable time near each other, but at length the Dutch ships of war, with their merchantmen, bore away for the Texel, and one of their sixty-four gun ships sunk. The English, in this hard contest, lost in killed and wounded 443 men. In consequence of this action, the Dutch Baltic fleet was unable to pursue its voyage. Parker returned home in disgust, at not being sent out with a sufficient force. The additional ships which he asked for had been withheld from him, without any specific service being assigned them ; and though his Sovereign paid him peculiar attention in visiting him on board his ship at Chatham, the veteran struck his flag, and withdrew from the service. The nation had been so long accustomed to see those officers who were most distinguished for the length and eminence of their services, retiring with gloomy discontent, at the conduct of the marine minister, that this instance was observed as a common occurrence, although no circumstance in the then critical situation  
of

of the empire could be a more warrantable cause of alarm, or a more necessary subject for investigation.

The operations against the Dutch were not confined to these objects. Commodore Johnstone was invested with the command of a squadron destined to attack the Cape of Good Hope ; from whence he was to proceed to the Spanish settlement of Buenos Ayres, in the Rio de la Plato of South America, where a dangerous insurrection had given great alarm to the court of Madrid. Our Ministry had been apprized of the posture of affairs in those parts by a priest, who had been sent a prisoner from thence to Spain, for his conduct in fomenting this civil commotion, but the ship in which he was embarked, happened to be taken by an English cruiser. This man accompanied the Commodore on the expedition. The republic of Holland, unable to make head against this attack, was obliged to seek protection from France, and a fleet was sent out from Brest, of superior force, in order to counteract the designs of Commodore Johnstone, whose exact strength was well known to the French Commander, M. de Suffrein, who came up with the British fleet at the Cape de Verd islands, and attacked it whilst laying under the protection of the Portuguese flag, in the small island of St. Jago, several outward-bound East-Indiamen being in company. The French were, however, disgracefully beaten off, with great loss and damage ; but as they reached the Cape before the British Commander, the attempt upon that place was effectually frustrated, and the French became actual masters of the settlement and harbour. Five homeward bound Dutch East Indiamen were afterwards surprized by Johnstone, four of which he captured, the other was burnt by its crew. It was now found necessary to relinquish the objects of the expedition. The ships destined for the East Indies proceeded

proceeded on their voyage thither, and the Commodore returned home with his prizes.

The immense quantity of merchandize found on the island of St. Eustatius, detained Admiral Rodney for a considerable time on that spot, and although a large fleet was expected to arrive from France, which Sir Samuel Hood was cruising with the British fleet to intercept, yet three ships of the line remained with the Commander in Chief. Hood remonstrated in vain against the station which he was appointed to keep, as such in which he could not prevent the junction of the French ships in the harbour of Martinique with the fleet from Europe. The event proved his suggestion to have been judicious, although slighted by his superior officer: the French became stronger by five ships of the line. He fought them, however, with this odds, and kept them long at bay. Rodney, at length, took the command, and having now collected his whole force, after some time, went in search of the enemy, who had already reduced the island of Tobago. The British fleet consisted of twenty-one ships of the line, the French of twenty-four. A glorious opportunity presented of deciding this long-protracted contest. The two fleets were drawn up in order of battle, the British seamen exulted in the prospect of action: they were kept all night under arms\*, but the next day did not gratify their expectations. The French were far from becoming so confident by the advantage which their superiority of numbers gave them, as to seek their enemy, and the British Admiral was induced to repress the ardour of his men, because there was no port at hand to afford a retreat for the disabled ships, but to this inconvenience the French were equally exposed. After this

\* June 5, 1781.

parade of battle, Sir George Rodney returned to Europe in an 80 gun ship, at a time when the cause of his country demanded his most strenuous and bold exertions, which most probably would have prevented the catastrophe which followed on the American continent.

G. Arnold, whose signal intrepidity and enterprising spirit had effected every thing which the Americans had achieved in offensive operations against the British forces, if the surprise at Trenton be excepted, abandoning the cause which he had so powerfully supported, went over to the British army, and was appointed to the rank of Brigadier General. Early in the campaign of 1781, a force was sent out from New York, against the trading parts of Virginia, the command of which was given to Major General Philips, second to whom was Arnold. Soon after the arrival of these troops at the mouth of James River, General Philips was seized with a fever, which caused his death; the command therefore devolved on the American Renegade. Vast quantities of tobacco were destroyed at Petersburg, together with barracks for troops, stores and shipping in that vicinity. In the official account of this expedition, no mention is made of burning towns. Earl Cornwallis, in the mean time, with the southern army, was penetrating into the heart of the Province, and had reached Halifax Country, having gained a signal victory over General Greene at Guildford, in the interior part of North Carolina, on the 15th of March. The force under Arnold having fully accomplished the destruction of every thing in those parts, returned to New York, and shortly after, the same General paid a visit to the coast of Connecticut, the Province which gave him birth. Here he destroyed some shipping, together with considerable quantities of naval stores and European manufactures.

The



The town of New London, situated on the River Thames, possessing the best port and harbour in the Colony, was reduced to ashes. The people of this town are said to have been the inventors of the practice of tarring and feathering, which was first used as a punishment for heresy, and inflicted upon Quakers and Anabaptists, but in the commencement of the dispute with Great-Britain, the opposers of the popular sentiment received the same condemnation. The destruction of this town cannot be palliated as an *unavoidable event*\*, for a late writer has told us, that the houses were insulated, at the distance of three, four, or five yards, one from the other, to prevent the ravages of fire †. The Americans soon after received ample compensation for this injury, in the surrender of Earl Cornwallis and his whole army, at York-Town in Virginia, on the 19th of October, 1781, to General Washington, at the head of an army composed of Americans and French, which his Lordship states to consist of 16,000 men, one half of which was Americans and the other French, besides which, 5000 militia were assembled, and an immense train of heavy artillery was employed. The French, by their fleet, being masters of the Chesapeake Bay, effectually cut off all relief from the main army at New-York, and Admiral Digby, with a reinforcement of ships, arrived too late to strengthen the British fleet under Admiral Graves ‡.

\* See Sir Henry Clinton's letter, dated Sept. 12, in the London Gazette of Tuesday, Nov. 6, 1781.

† General History of Connecticut, p. 135.

‡ The source of this misfortune may be plainly traced to the Dutch war; for had the ships which were employed against that enemy, been sent to the West-Indies, they would have given such a decided superiority to this country at sea, that nothing could have obstructed the necessary relief being conveyed to Cornwallis from New-York.

Such

Such a fate attending a general, whose whole conduct throughout the war had been distinguished by having taken the head in every active service; and in the execution of which he had proved his abilities to be equal to his ardour, excluded the last ray of hope from a wittol nation. Despair of reducing America ought to incline us to turn our eyes to our desperate situation: to shew the ruin which awaits us in bankrupt fortune and exhausted strength, if we continue the contest. Let us then at length aim at conciliating the affections of the Americans, and invite a revival of their old habits. Let the long subsisting private friendships among individuals in both countries, the ties of kindred, the influence of religion, manners, and language, and the cement of commercial intercourse once more be rendered operative; and fully to effect these salutary purposes, let us invoke the hallowed genius of a Chatham, who, when the ebb of life was hastening out, pronounced, " IF ANY THING CAN PREVENT THE CONSUM-  
 " MATION OF PUBLIC RUIN, IT CAN ONLY BE NEW  
 " COUNCILS AND NEW COUNSELLORS; A SINCERE  
 " CHANGE, FROM A SINCERE CONVICTION OF PAST  
 " ERRORS \*."

\* Dr. Addington's letter to Sir James Wright.

The Amount and Application of the Sinking Fund, from the  
Year 1774 to 1781, both inclusive.

[See the Sinking Fund for the first five Years of Lord North's  
Ministry stated, page 168.]

Charged on the sinking fund for the

service of the year 1774 - - 2,080,696

Balance Jan. 5, 1775 - - 11,239

The quarter ending 5th of April - 884,447

2,976,382

Charged for the service of 1775 — 1,904,313

Balance Jan. 5, 1776 — 17,869

Quarter, ending 5th April — 962,571

2,884,753

Charged for the service of 1776 — 1,837,428

Balance Jan. 5, 1777 — 295,832

Quarter, ending 5th of April — 760,363

2,893,623

Charged for the service of 1777 — 1,939,636

Balance Jan. 5, 1777 — 0 0 0

Produce to 5th of April — 703,700

2,643,336

Charged for the service of 1778 — 2,296,209

Balance Jan. 5, 1778 — 0 0 0

Balance 5th of April — 0 0 0

2,296,209

Charged for the service of 1779 — 2,071,854

Balance Jan. 5, 1780 — 0 0 0

Balance 5th of April — 650,458

2,722,312

Charged for the service of 1780 — 1,849,542

Balance Jan. 5, 1781 — 288,347

Quarter, ending 5th of April — 757,087

2,894,976

Charged for the service of 1781 — 1,854,566

Sums voted for the Service of the Navy, from Jan. 12, 1771, when the Earl of Sandwich became Marine Minister, to the End of the Year 1781.

For the year 1771	—	3,082,499
1772	—	2,070,664
1773	—	1,885,573
1774	—	2,104,917
1775	—	1,934,866
1776	—	3,699,886
1777	—	4,210,305
1778	—	5,001,895
1779	—	4,589,069
1780	—	7,003,284
1781	—	7,236,277

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42,819,235

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Besides which, the Navy Debt exceeds six Millions.

Funded Debt, created from January 1776 to the End of 1781.

		Interest paid thereon	Computed pro- duce of Taxes.
For the service of the year 1776	} 2,000,000	64,000	73,000
Ditto - 1777	5,000,000	225,000	242,000
Ditto - 1778	6,000,000	330,000	336,000
Ditto - 1779	7,000,000	472,500	478,000
Ditto - 1780	12,000,000	696,150	701,616
Ditto - 1781	21,000,000	660,000	704,000
	<hr/> 53,000,000	<hr/> 2,447,650	

\*. The taxes have fallen so much short of their computed value, that they do not pay the interest upon the annuities by more than half a million.

F I N I S:



E R R A T A.

Page 72—line ult. for Haughton read *Hoghton*.

121---l. 1, for *contravention* r. *contravention*.

131—note, l. 12, for Kennet, Echard, Hume take, r. *Kenner, Echard*.  
*Hume takes*

153---note, l. 13, for no fund r. *an insufficient fund*.

156---l. 30, for upwards of twenty-three millions r. 15,563,593*l.* 10*s.* 8*d.*

183---l. 10, for emergency r. *energy*.

188---l. 27, for threat r. *thread*.

238---l. 28, for Englishman r. *American*.

254---l. 23, for fortuitous r. *fortunate*.

255---l. 17, for, of five millions for r. *for five millions of*.

282---l. 19, for onfet r. *offset*.

285---l. 26, for cores r. *corps*.

317---note, for 90,000*l.* r. *ninety millions*.

324---l. 11, and p. 369, l. 29, for the Earl of Gower r. *Earl Gower*.

350---l. 8, for Robinson r. *Robertson*.

386---note, l. 3, for 705,000*l.* r. 750,000*l.*

Dele the remark at bottom.



